Dated June 24. 1895

Abstract of Title AND LIST OF INCUMBRANCES

ON 480 acres

of the

RANCHO

San Miguel

Sonoma County

Cal.

COUNTY OF SONOMA
STATE OF CALIFORNIA

Made at the request of

E. W. Woolsey & Son.

THE Sonoma County
ABSTRACT BUREAU
SONOMA COUNTY, SANTA ROSA, CALIFORNIA.
Arthur L. Harris, Manager.

2960

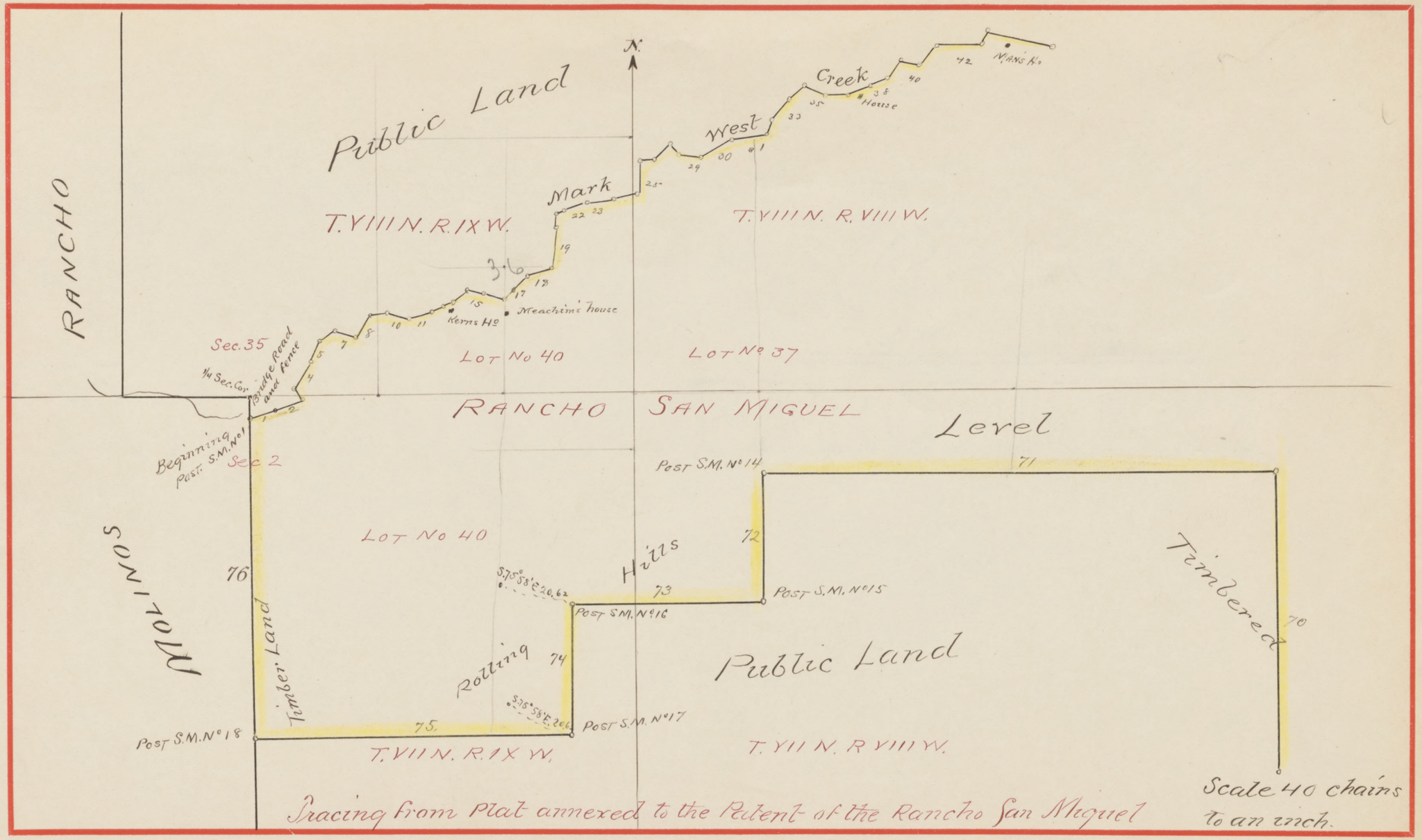
Deposited by E.W. Woolsey
& P. Baldocchi –
not to be taken from the
office without consent of
both parties

Donated to:
Depot Park Museum
Sonoma Valley Historical Society
P.O. Box 861
Sonoma, CA 95476-0861 6/17/2013

ABSTRACT OF TITLE

— TO —

A tract of 480 acres of land owned by Thomas J.Drennan.situated in Santa Rosa Township, Sonoma County and State of California. and being a portion of the Rancho San Miguel.



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Manuel Micheltorena,

Governor of California.

—TO—

Don Marcus West.

GRANT.

(In Spanish.)

Dated October 14, 1844.

Of the Rancho San Miguel, Containing 6 square leagues. more or less.

Recorded in Liber F of Deeds, page 91, Sonoma County Records.

The United States of America.

—TO—

Guadalupe Vasquez de West, widow.

and

Marcus West, Guadalupe West. and Adalaida West, children of Marcus West, deceased.

U. S. PATENT.

Dated June 29, 1865.

Recites, Whereas, it appears. from a duly authenticated transcript, filed in the General Land Office of the United States, that, pursuant to the Act of Congress approved March 3, 1851, entitled "An Act to ascertain and settle the private land claims in the State.of California, ", Guadalupe Vasquez de West, widow, and Marcus West, Guadalupe West, and Adalaida West, children of Marcus West, deceased. as claimants, filed their petition, on May 31, 1852, with the Commissioners to ascertain and settle the private land claims in the State of California,sitting as a Board, in the City of San Francisco, in which petition they claimed the confirmation of their title to a tract of land called San Miguel, situated in the jurisdiction of Sonoma, said claim being founded on a Mexican Grant to Marcus West, made on October 14, 1844, by Juan B. Alvarado, then Governor of California:

And Whereas, the Board of Land Commissioners aforesaid. by a decision rendered on April 24. 1855, rejected said claim, which decree of decision, having been carried, by appeal, to the United States District Court of the Northern District of California, the said Court, as appears by a duly authenticated transcript, on file in the General Land Office " ordered. adjudged

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and decreed, that the decision of said Board, rejecting said claim, be vacated and set aside, and further ordered, adjudged and decreed, that the claim of the said heirs of Marcus West, deceased, be, and the same is hereby confirmed, and their said title declared a good and valid one, to the extent hereinafter mentioned.

The lands, of which confirmation is hereby made, are known by the name of San Miguel, situated in the present County of Sonoma &c, containing 1 1/2 square leagues of land, reference being had, for more particular description of said land, to the original grant, attached to the deposition of I. S. Berreyessa, taken in this Court, for the boundaries of said land, but not for the quantity, and the expediente relating to said land, filed in the archives of the Mexican Government in California, of the date of 1840, which said expediente is now in the custody of the U. S. Surveyor General of California", which decree or decision was, on appeal, affirmed by the Supreme Court of the United States, at the Dece mber term, 1859.

And Whereas, it further appears, from a duly certified transcript, on file in the General Land Office, that this cause was brought before the aforesaid District Court, in the matter of survey, and that, at a stated term of said Court, on June 15, 1863, the following proceedings were had,

The United States vs.The widow and heirs of Marcus West, deceased. No.326.

This cause came on to be heard, on the exceptions of the United States, to the official survey of the land confirmed to the claimant, which survey is shown by the certified copy plat, filed April 10th, 1863: and counsel, for the respective parties being present and heard, and due deliberation had in the prem-

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ises, It is now ordered, adjudged and decreed, that the said exceptions be, and the same hereby are over-ruled: And it is further ordered, adjudged and decreed, that the survey, approved by the Surveyor General of the United States for California, on August 20, 1862, containing 6,663.23 acres, and shown by the plat filed April 10, 1863, is a good and valid survey of the land confirmed to the claimants herein, and that the same be, and hereby is approved:

And it is further ordered, that the said plat, filed April 10, 1863, and marked Approved, June 15, 1863, Ogden Hoffman, District Judge, be attached to, and made a part of this decree, for a more full and particular description of the land now finally confirmed to the claimants:

And Whereas, under the thirteenth section of said Act of March 3, 1851, there have been presented to the commissioners of the General Land Office, a plat and Certificate of the survey of the tract of land confirmed as aforesaid, authenticated on June 25, 1864, by the signature of the Surveyor General of California, which plat and certificate are in the words and figures following, to wit:-

(Here follow field notes and plat of the survey of the Rancho San Miguel, containing 6,663.23 acres.)

Now Know Ye, that the United States of America, in consideration of the premises, and pursuant to the provisions of said Act, have given &c, and by these presents do give and grant unto the said widow and heirs of Marcus West, deceased, and to their heirs, the tract of land embraced and described in the foregoing survey, but with the stipulation, that in virtue of the 15th Section of said Act, the confirmation of this claim and this patent, shall not affect the interests of third persons.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

To have and to hold the said tract, with the appurtenances. unto the said widow and heirs of Marcus West, deceased, and to their heirs and assigns forever. with the stipulation aforesaid.

In Testimony Whereof, I. Andrew Johnson, President of the United States, have caused these letters to be made Patent,and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, this 29th day of June, A.D.1865.

(Signed) By the President, Andrew Johnson.

(Seal)

Recorded Vol.5, page 182.

Martin Buell, Acting Recorder of the General Land Office,ad interim.

Recorded December 18, 1865

Liber A of Patents, page 147.

Sonoma County Records.

William Mark West and
Guadaloupe West. his wife,
—TO—
H. A. Green.

DEED OR AGREEMENT.

Dated November 1, 1846.

Have this day granted, bargained and sold unto H. A. Green, his heirs and assigns, a certain tract of land lying and being on the North side of the Bay of St. Francisco, and a portion of the tract that he now lives on, Commencing at the South West corner of his said tract of land: thence North, along the shore of the lake, to the Creek on which the said West lives, and has a mill: thence up the center of the main channel of the same, about half a mile above some noted redwoods that stand on the opposite of the Creek, to a lone oak tree that stands in an open place, on a gentle rise of ground, above a certain oak flat: said tree was pointed out to William Burns by the said Green: thence South, to said West's South line: thence West, to the place of beginning, supposed to contain one square league, For and in consideration said Green teaching our children.

Said Green hereby agrees that the above described tract of land shall contain more than one league of land, to pay to the said West what it is now worth, and if they cannot agree on the price, it shall be determined by disinterested persons, and may be paid in some good current trade of the country.

And in case the above described land should not contain one league, then the line is to extend a sufficient distance up the creek to make up the amount.

We, the said party of the first part bind ourselves, our

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

heirs and assigns, firmly by these presents, to make, or cause to be made unto H A. Green, his heirs and assigns, a good and sufficient fee simple title to and for the above described __, with__ one year from this; and the said West and wife further agree that if they should fail to comply with the above obligation,to pay the said Green whatever damages he may sustain,in consequence of the failure.

(Signed) Wm. M. West, (Seal)

Guadaloupe West, (Seal)

Not Acknowledged.

Recorded November 16, 1846,

Liber 1st B of Deeds, page 17.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

In the Probate Court, in and for Sonoma County.

In the Matter of the Estate
—of—
H. A. Green, Dce'd.

Register A No.1, page 76. Case No.48.

1851

October 8. Will of H. A. Green, dated May 29, 1851, - Filed.

Bequeaths to his wife, Mary E. Green, and to his son, Wm. Henry Green "all my real and personal estate, share and share alike, after my debts and funeral expenses are first paid." &c

Appoints James D. Taber, Peter Campbell, and John Cameron, Executors.

" 28. Petition filed,

as follows,

"Whereas, by the Will of the late Judge Green, Mr. Taber, John Cameron and Peter Campbell were nominated Executors for said Will, may it please your honor to grant letters of administration to the said above named persons, and oblige &c

John Cameron,
Peter Campbell."

" 30. Order admitting the Will to probate, and that letters testamentary be issued to Wm. D. Taber, John Cameron and Peter Campbell, and that they give bonds in the sum of $10,000.00,

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1851	Entered. Mins. A, page 33.
October 30.	Order appointing Geo. Pearce, James Cooper and __ McNair, Appraisers, Entered.
Decbr.22.	Inventory filed. "Deed of Mark West for one league of land,doubtful, - nothing."
1852	
Octbr.26.	Proof of publication of notice to creditors, Filed.
	("There is nothing in the proceedings that show when or where H. A. Green died, nor is there any mention (except in the Will,) of the names and ages of the heirs of said deceased. Mrs Mary E.Green married Isaiah Porter. No final settlement, nor distribution of the estate.)

William Mark West,

—TO—

John Lewis,

Nicholas Carriger, and

Joseph Wardlow.

DEED.

Dated October 11, 1847.

Cons:-$600.00.

Doth hereby grant. bargain and sell &c, a certain tract of land, lying, being and situated in the Rancho St. Michalel and bounded as follows:-

Beginning at a point on said West's Mill Creek, where Captain John Cooper's line strikes the same; thence in a Southerly course, one mile and a half, English measure; thence, making a right angle, and running in an Easterly direction, three miles; thence making a right angle, and running in a Northerly direction, to the said Mill Creek, one mile and a half; thence in a Westerly direction, down with the meanders of said Creek, to the point of beginning; so as to include in the whole survey, one half league, or three miles, by one and a half miles, containing 2880 acres, more or less.

Covenant of Warranty against the lawful claims of all persons.

(Signed) Wm. Mark West, (Seal)

Acknowledged October 11, 1847.

Before L W. Boggs, Alcalde, District of Sonoma, California.

Recorded (no date.)

Liber C of Deeds, page 1.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Re-Recorded October 4, 1856,

Liber B of Deeds, page 400.

John Lewis and
Catharine Lewis, his wife.

—TO—

John __ Ellis and
Jacob __ Ellis.

DEED.

Dated October 22, 1851.

Cons:-$2400.00.

Do remise, release and forever quitclaim &c, all our interest in and to __ and being one third of the following described tract of land situated on the Rancho known as St. Michael District, and bounded as follows:-

Beginning at a point in a Creek known as Mark West's Mill Creek, where Captain John Cooper's line strikes the same: thence in a Southerly direction, one mile and a half, English measure: thence, making a right angle, and running in a Northerly direction, to the said Mill Creek, one mile and a half: thence in a Westerly direction, down with the meanders of said Creek, to the point of beginning, so as to include in the whole survey, one league, or three miles, by one and a half miles, containing about 2,880 acres, more or less, situated in Sonoma County, State of California.

The interest of the said parties of the first part, hereby granted, being only one undivided third of the above described tract of land.

(Signed)

John Lewis, (Seal)
Catharine her X mark Lewis, (Seal)

Witness:- John Hendley.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Acknowledged (properly) October 22, 1851.

Before John Hendley, County Clerk &c, of

Sonoma County.

Recorded (no date.)

Liber F of Deeds, page 222.

John Lewis and
Catherine Lewis, his wife,
—TO—
John Ellis and
Jacob __ Ellis.

DEED.

Dated October 22, 1851.

Cons:-$2400.00.

Do remise, release and quitclaim &c, all our interest in and to and being one third of the following described tract of land situated on the Rancho known as St. Michael District, bounded and described as follows,

Beginning at a point on a Creek known as Mark West Mill Creek, where Captain John Cooper's line strikes the same: thence in a Southerly direction, one mile and a half, English measure: thence making a right angle, and running in an Easterly direction, three miles: thence making a right angle, and running in a Northerly direction, to the said Mill Creek, one mile and a half: thence in a Westerly direction, down with the meanders of said Creek, to the point of beginning: so as to include in the whole survey, one league, or three miles, by one and a half miles, containing about 2880 acres, more or less, situated in Sonoma County, State of California.

The interest of the said parties of the first part being only one undivided third of the above described tract of land.

(Signed) John Lewis, (Seal)
her
Catherine X Lewis. (Seal)
mark

Witness:-
John Hendley.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Acknowledged October 22, 1851.

(Seal) Before John Hendley, Clerk,
Sonoma County.

Note:-

The following endorsement appeared on the back of the foregoing instrument:-

John Lewis and wife to Deed John Ellis and Jacob Ellis. Filed for record on the 22nd October, A.D.1851, at 4 o'clock P.M.

J. Hendley, Recorder.

Recorded in Book F. on pages 222 & 223, October 31, A.D.1851, at 10 o'clock. J. Hendley, Recorder."

Recorded November 14, 1867,

Liber 22 of Deeds, page 181.

James Cooper,
of the first part.
John J Ellis and
Jacob M. Ellis
of the second part,
— and —
Nicholas Carriger,
of the third part.

DEED OF PARTITION.

Dated November 10, 1851

Whereas, the said James Cooper, John J. Ellis and Jacob M. Ellis and Nicholas Carriger, are seized of, and hold, as tenants in common, a tract or parcel of land situate in Sonoma County, State of California, the said tract being the same as conveyed by Deed from William Mark West to John Lewis, Nicholas Carriger and Joseph Wardlow, dated the 11th day of October, 1847, and recorded in the archives in Sonoma County, in Book C, pages 1 and 2, and the said Cooper, Ellis & Ellis, and Carriger have mutually agreed to make partition of said land, and hold their respective moieties in severalty,

Now, It is hereby witnessed, that the said James Cooper, John J. Ellis and Jacob M. Ellis, and Nicholas Carriger, do make a full, perfect and absolute partition of the aforesaid parcel of land between them, to be divided as follows, in manner and form, viz, That the said James Cooper shall have and enjoy, to the only use of the said James Cooper, his heirs and assigns forever, the moiety as follows:-

The mile "(and a half)" of land, lying on the Eastern portion of said tract of land, being one mile fronting on "Mark

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

West Creek", as marked and surveyed by the County Surveyor of Sonoma County, on the 31st of October, 1851, and the said John J. Ellis and Jacob M. Ellis, their heirs and assigns,shall have, in like manner, the moiety as follows:-

Being the mile and a half of land lying in a Westerly direction from the land of the said James Cooper, as marked out by said survey, and that the said Nicholas Carriger "(his heirs and assigns,)" shall have, in like manner, the moiety as follows:-

Being the mile and a half of land lying in a West direction from the land of John J. and Jacob M. Ellis, fronting on said "Mark West Creek", one mile, the said John J. Ellis and Jacob M Ellis paying to the said James Cooper, the sum of Five Hundred Dollars for equality of partition.

And the said Nicholas Carriger paying the said Cooper, the sum of Three hundred dollars, for equality of partition.

And the said James Cooper, in consideration of the premises doth hereby give, grant and release unto the said John J.Ellis and Jacob M. Ellis, their heirs and assigns. the aforesaid moiety, and unto Nicholas Carriger, his heirs and assigns, the aforesaid moiety, and the said John J. and Jacob M. Ellis do hereby give, grant and release unto James Cooper, his heirs and assigns, the aforesaid moiety, and unto Nicholas Carriger, his heirs and assigns, the aforesaid moiety, and the said Nicholas Carriger doth hereby give, grant and release unto James Cooper, his heirs and assigns, the aforesaid moiety, and unto John J. and Jacob M. Ellis, the aforesaid moiety, and each, any, every of the said parties, do hereby agree and covenant, for themselves their heirs, executors, administrators and assigns, that the respective moieties of each and every one of said parties,shall

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

be held unto them, and their assigns forever, as the said moieties have "(been)" described and agreed upon.

And I, Mary Ann, the wife of the said Nicholas Carriger, and I, Sarah, the wife of the said James Cooper, in token of our relinquishment of all right, title and interest, of, in and to the above described premises, do hereby join in this conveyance.

In Witness Whereof, we, the said James Cooper and Sarah, his wife, John J. Ellis and Jacob M. Ellis and Nicholas Carriger, and Mary Ann, his wife, have hereunto set our hands and seals, at the City of Sonoma, the day and date above written.

(Signed)

James Cooper, (Seal)

Sarah Cooper, (Seal)

John J. Ellis, (Seal)

Jacob M. Ellis, (Seal)

Nicholas Carriger, (Seal)

Mary Ann her X mark Caeeiger, (Seal)

Attest:-

I. G. Spratt,

Chas. P. Wilkins.

Acknowledged (properly.) December 1, 1851.

Before John Hendley, County Clerk of Sonoma County.

Recorded December 10, 1851

Liber H of Deeds, page 27.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

John Ellis and
Jacob Ellis.
—TO—
Alonzo Meacham.

DEED.

Dated June 6, 1853

Cons:-$4800.00.

Do remise, release and quitclaim &c, all that certain piece of land in Sonoma County, bounded and described as follows, to wit:-

Commencing at the North Eastern corner of the lands this day sold and conveyed to John Cairns: thence running Easterly, up the Creek, called "Mark West Creek", one half mile: thence Southerly, parallel with the Eastern line of the lands this day sold by the parties of the first part to the said John Cairns, one mile and a half: thence Westerly, one half mile, to the lands of said John Cairns: thence Northerly, to the place of beginning, containing 480 acres of land. more or less.

(Signed) John J. Ellis, (Seal)
J. M. Ellis, (Seal)

Acknowledged (by John Ellis and Jacob Ellis,) June 6, 1853.
Before Martin E. Cooke, N. P.
Sonoma County.

Recorded June 7, 1853

Liber M of Deeds, page 156.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Alonzo Meacham.

DECLARATION OF HOMESTEAD.

Dated September 11,1854

Of all that land situated on Mark West Creek, in said County (Sonoma) and described as follows:-

Commencing at the North Eastern corner of the lands belonging to John Cairns; thence running Easterly up the Creek called "Mark West", one half mile: thence Southerly, parallel with the Eastern line of the lands of said Cairns, one mile: thence Westerly, one half mile, to the lands of said Cairns: thence Northerly, along the line of said Cairns, to the place of beginning, containing in area, 320 acres, more or less.

Witness:-

Jno. E. McNair.

Not Acknowledged.

Recorded September 11,1854

Liber R of Declarations of Homesteads, page 1.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Alonzo Meacham, and
Sarah Meacham, his wife,
—TO—
Berthold Hoen.

DEED.

Dated April 6, 1857.

Cons:-$2000.00.

Do grant, bargain, sell &c, all right, title and interest, of, in and to the following described tract of land, in Santa Rosa Township, Sonoma County, and more particularly described as follows, to wit:-

Beginning at the North Eastern corner of the lands conveyed to the said Alonzo Meacham by John J. Ellis and J. M. Ellis, by Deed dated June 6, 1853, at a point where said Meacham's Eastern line strikes Mark West Creek; thence running in a Southerly direction, along said Meacham's most Eastern line, one mile and a half, to said Meacham's South Eastern corner; thence West, along said Meacham's Southern line, one fourth of mile; thence Northerly, parallel to the first mentioned line, to Mark West Creek; thence up said Creek, to the place of beginning, containing 240 acres, more or less,

Together __ all the rights which the said parties of the first part may hereafter acquire, to said land, by reason of any further conveyance or assessments, to be made by the said John Ellis and J. M. Ellis.

(Signed) Alonzo Meacham, (Seal)
Sarah Meacham. (Seal)

Acknowledged (properly,) April 6, 1857,
Before Wm. H. Crowell, J. P.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Sonoma County.

Recorded April 11, 1857.

Liber B of Deeds, page 678.

John __ Ellis and
Jacob __ Ellis.
—TO—
John Cairns.

DEED.

Dated June 6, 1853.

Cons:-$4800.00.

Do remise, release and quitclaim &c, all that piece of land in the County of Sonoma, bounded and described as follows, to wit:-

On the West by the land owned by Nicholas Carriger: on the North by the Creek called "Mark West Creek; running on said Creek, one half mile, in an Easterly direction, up said Creek: thence, parallel with the lands of Nicholas Carriger, in a Southerly direction, one mile and a half: thence Westerly, to the lands of the said Nicholas Carriger, one half mile: Containing 480 acres of land, more or less. It being hereby intended to convey the one half part of all the right, title and interest of the said parties of the first part, in and to the one half league of land, part of the Rancho San Miguel, heretofore conveyed by Wm. Mark West to Joseph Wardlow, N. Carriger and John Lewis.

(Signed) J. M. Ellis, (Seal)
John J. Ellis, (Seal)

Witness:-
Martin E. Cooke.

Acknowledged June 6, 1853
by John Ellis and Jacob Ellis,

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Before Martin E. Cooke. N. P.

Sonoma County .

Recorded June 10, 1853.

Liber M of Deeds, page 181.

John Cairns,

—TO—

Charles Spencer Compton.

DEED.

Dated July 15, 1853.

Cons:-$4000.00.

Doth grant, bargain, sell, convey and confirm &c, all his right, title and interest in and to all the undivided moiety, or half part, of all that certain parcel of land situate in the County of Sonoma, bounded and described as follows, to wit:-

On the West by the land owned by Nicholas Carriger; on the North by the Creek called "Mark West Creek; running on said Creek, one half mile, in an Easterly direction, up said Creek: thence, parallel with the lands of Nicholas Carriger, in a Southerly direction, one mile and a half: thence Westerly, to the lands of said Nicholas Carriger. one half mile: Containing 480 acres of land, more or less, Being part of the same premises which J. M. Ellis and J. G. Ellis, by Deed dated June 6, 1853, recorded in the office of the County Recorder of Sonoma County, in Book M of Deeds, page 181, granted and conveyed unto the said party of the first part, in fee.

(Signed) John Cairns, (Seal)

Witness:-

L. A. Lynch.

Acknowledged (properly.) July 15, 1853

Before L. A. Lynch, N. P.

Recorded July 16, 1853

Liber M of Deeds, page 188.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Charles Spencer Compton,
of Waltouon Thames, County of
Surrey.
—TO—
John Cairns.

DEED.

Dated July 11, 1867.

Cons:-$10.00.

(Rev. Stamp 50¢ cancelled.)

Does grant, bargain, sell and convey all that undivided moiety or half part of that certain piece of land situate, lying and being in the County of Sonoma, State of California, bounded and described as follows, to wit:-

On the West by the land owned, now or formerly, by Nicholas Carriger: on the North by the Creek called Mark West Creek; running, on said Creek, one half mile, in an Easterly direction, up said Creek: thence, parallel with the line forming the Western boundary, and in a Southerly direction, one mile and a half: thence Westerly, to the point of beginning, and land of said Nicholas Carriger, one half mile, containing 480 acres of land, more or less.

Being a portion of the Rancho San Miguel, situated in said Sonoma County, and the same land conveyed to the party of the first part by the party of the second part, by Deed dated July 15, 1853.

(Signed) Cha. Sp. Compton, (Seal)

Witness:-

Thomas S. Girdler, N. P.
of London.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Acknowledged (properly,) July 11, 1867

Before F. H. Norse, U. S. Consul, at London.

(Seal) England.

Recorded June 29, 1868.

Liber 24 of Deeds, page 130.

John J. Ellis, and
Jacob __ Ellis.
—TO—
Berthold Hoen.

DEED.

Dated August __, 1862.

Cons:- $1.00.

Do remise, release and quitclaim &c, all our right, title and interest, of, in and to that certain piece of land situate and being in Sonoma County &c, being a portion of the Rancho San Miguel, lying on Mark West, or Oclitome Creek, and being more particularly bounded and described as follows, to wit:-

Commencing at a point on Oclitome, or Mark West Creek, where the Eastern boundary of the Rancho El Molino crosses the same: and bounded on the North, a distance of three miles by said Creek, and being a tract of land 3 miles long, by one mile and one half wide. Being the same tract conveyed to Carriger, Lewis and Wardlow by William Mark West, on 11th day of October, 1847.

(Signed) John J. Ellis, (Seal)
J. M. Ellis, (Seal)

Witness:-
F. D. Colton

Acknowledged (by John J. Ellis,) Aug. 16, 1862
Before F. D. Colton, N. P.

Acknowledged (by J. M. Ellis,) Aug.20, 1862.
Before G. L. Wratten, N. P.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Recorded (at 55 min.past 4 o'c, P. M.) October 27, 1866.

Liber 19 of Deeds, page 521.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Joseph Wardlow.

—TO—

Thomas Spriggs.

DEED.

Dated Nov. 22, 1847.

Cons:-$300.00.

Doth grant, bargain, sell &c. all his right, title and interest, of, in and to all that certain lot of land situated in the District and Territory of Sonoma, being my undivided one third part of a certain tract of land, held in connection with Nicholas Carrager and John Lewis, containing one half league, or three miles, by one and one half miles, or 2880 acres, more or less. My interest being the one equal third part thereof, or 960 acres. Being part of the same tract of land purchased by the said Carriger, Lewis, and myself, of Wm. Mark West by Deed bearing date Oct.11, 1847.

(Signed) Joseph Wardlow, (Seal)

Acknowledged (properly,) November 22,1847.

Before Lilburn W. Boggs, Alcalde,

District of Sonoma.

Recorded (no date.)

Liber C of Deeds, page 6.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Probate Court, in and for Sonoma County.

In the Matter of the Estate
— of —
Thomas Spriggs, Deceased.

PROBATE PROCEEDINGS.

1851	
Septbr.22.	"James Cooper and A. C. McDonald, having filed their application for letters of administration upon the estate of Thomas Spriggs, deceased. on the 30th of May, A.D.1851, and upon proof that the Clerk, having given notice, by publication, of said application, according to law, Now, upon the hearing of said application, the Court orders letters of administration upon said estate, to be granted to James Cooper and A. C. McDonald," Entered Mins.A, page 28. (Application for letters of administration not on file amongst the papers.)
" "	Order appointing John Cameron, John Lewis, and Lewis Adler, Appraisers, Entered A, page 28.
" 24.	Order appointing William Burris Appraiser, vice Lewis Adler, Entered A, page 30.
" 20.	Bond of James Cooper and Alexander C McDonald, as Administrators, in the sum of $15,000.00, approved by Probate Judge, October 20, 1851, - Filed. (No entry as to the issuance of letters of administration to James Cooper.)

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1851 October 27.	Inventory and Appraisement, signed by the Appraisers and verified by the Administrators, - Filed. as follows, Tract of land from Joseph Wardlow, no improvements, valued at $2400.00. (and other property.)
" 28.	Order that notice to creditors be published in the California Gazette, newspaper printed at Benicia, once per week, for four weeks, Entered A, page 31.
Decbr.23.	Order that notice to creditors be published once per week, for four weeks, in the Alta Gazette, newspaper published in San Francisco.Entered A,page 44. (An affidavit of B. F. Pinkham, subscribed and sworn to, Feby.18, 1852, as to publication of "Notice to Creditors", in the California State Gazette,four successive weeks, from Janry.10, 1852, is amongst the papers of this estate, but bears no endorsation of filing.)
1854. May 6.	Order that citations issue to all administrators and executors of the estates of deceased persons, in the County of Sonoma &c, to appear before the Probate Court, on Monday, May 22, 1854, then and there to render an exhibit, under oath, of the condition of the estates under their charge, Entered B, 57.
May 16.	Citation returned and filed, - served on James Cooper May 11, 1854.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1854 July 10.	Administrator's Exhibit A, filed, as follows. Total amount of cash received, $2,889.00. (Proceeds of said estate.) Cash paid out for taxes, debts &c,against said estate, $20,081.15. Sworn to. July 10, 1854. Before Martin E. Cooke, N. P.
" "	Court orders the above exhibit to be filed, Entered B. 75.
1856 October 11.	Order that William B. Atterbury, Public Administrator, take charge of said estate, and administer the same until his successor is duly appointed and qual ified, Entered B, page 318. Recites that one of the Administrators of said estate is dead, and there is no person in charge of said estate.
1859 May 3.	Ordered that citation issue to A. C. McDonald,to appear before this Probate Court, on June 15, 1859 to show cause why he should not give further security, and to render an account of his acts,as one of the Administrators of said estate, Filed and Entered D,page 359.
May 4.	Citation issued.
" "	Citation returned and filed, - served on A.C.McDonald.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1859	
June 15.	Now comes A. C. McDonald &c, and declines to give any security as an Administrator of said estate: that he has never received, or had in his possession, any property, real or personal, of said estate, and that if there is any account to be rendered by him, as mentioned in said citation, he is unable to make such account. Whereupon, it is ordered by the Court, that the letters of administration, heretofore granted to A. C. McDonald, in the above named estate, be, and the same is hereby revoked, Entered E, page 3.
July 20.	"Filing application for letters." 25¢. (This item taken from Register, The application not being amongst the papers of this estate on file.)
" "	Order setting Aug.2, 1859, for hearing said application, and that notice be given by posting. Recites that W. B. Atterbury, Public Administrator, having filed in this Court his application for letters of administration &c, Entered E, page 6. Posting Notices, $1.50. No affidavit of posting notices on file.
Aug. 2.	Order continuing cause to Aug.3, 1859, Entered E, page 8.
" 3.	Order that letters of administration upon said estate issue to William B. Atterbury, Public Administrator of Sonoma County, Entered E, page 9.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1859	Letters of Administration issued.
Aug. 17.	Order appointing B. B. Munday Thos. H. Pyatt, and B. Hoen, Appraisers of said estate, "and four weeks notice to creditors is ordered, by publication in the Sonoma Democrat, Entered E, page 18 . Certificate of Appointment of Appraisers issued.
October 6.	Inventory and Appraisement, signed by Thomas H. Pyatt and Berthold Hoen, Appraisers, and verified by Wm. B. Atterbury, Administrator, - Filed. Real Estate. A tract of land on the Mark West, or San Miguel Ranch, conveyed by Joseph Wardlow to Thomas Spriggs, by Deed dated Nov. 22, 1847, and recorded in Book C, on page 6, of Sonoma Co. Records. Said tract of land being described as follows:- Being an undivided one third part of a tract of land held in common with N. Carriger and John Lewis, containing one half league, or three miles, by one mile and a half, or 2880 acres. The interest conveyed by Wardlow to said Spriggs, being one equal, one third part thereof, or 960 acres. Being part of the same tract of land purchased by the said Carriger, Lewis and Wardlow, of William Mark West, by Deed dated October 11, 1847. One third of said tract of land being 960 acres, belonging to said Spriggs, is valued at $4000.00. (And other property.) The Certificate of Appointment, and oath of Appraisers, is attached to the inventory.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1859	
Novbr. 7.	Affidavit of publication "Notice to Creditors",for four weeks, from Aug.25, 1859, in the Sonoma Democrat, - Filed.
1860	
August 18.	Petition of Administrator, for a citation to issue to John H. Holman, Administrator of the Estate of James Cooper, deceased, to account for the property of the said Thomas Spriggs, deceased, which has come to his hands or possession &c, - Filed.
" "	Order that citation issue against John H. Holman, Administrator &c, requiring him to appear before this Court, on September 8, 1860, to show cause,on said application &c, Entered E, page 227.
" 20.	Citation issued.
Sëptbr"1.	Citation returned and filed, - served on John H.Holman, Aug.29, 1860.
1861	
Janry. 14.	Decree of Final Settlement between Estates of Cooper and Spriggs, - Filed and Entered, E, page 320. "That there is still due the estate of Thomas Spriggs, deceased, from the Estate of Jas.Cooper, deceased, on account thereof, the sum of $2004.37."
March 9.	Order for Administrator to pay J. A. Woodson $15.00 for services as referee &c, Entered E, page 315.
April 22.	Petition of Wm. K. Burns, for an order directing Ad-

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1861	ministrator to sell real estate, - Filed. (Petition not on file.)
April 22.	Order setting June 3, 1861, for all persons to show cause &c, and that a copy of this order be published for four successive weeks, in the Sonoma County Democrat, Entered E, page 326.
June 3.	Answer of Administrator, to petition of Wm. K. Burns, Filed. Denies claim of said Burns against said estate, and asks that said petition may be dismissed; but in the case, the said claim is adjudged by this Court, to be a valid claim against said estate: that a decree may be made, authorizing him to sell so much of the real estate of said deceased,as may be necessary to pay the debts of said estate &c.
" "	Affidavit of publication of notice, - Filed. (Affidavit not amongst the papers.)
	Order continuing hearing to July 1st, 1861, Entered E, 356.
July 1.	Order continuing hearing to Aug.5, 1861, and that the administrator file an exhibit on or before Aug. 5, 1861, showing the condition of the estate &c. Entered E,page 371.
" 2.	Order that, in addition to said Exhibit, that so much of Administrator's answer to creditors petition, as excepted to the claim of Burns against said estate be, and the same is hereby over-ruled,and said claim-

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1861	ant is duly admitted as a creditor of said estate &c. Entered E, page 375.
August 5.	Petition of Wm. B. Atterbury, Administrator of said estate, for an order to sell the real estate of said deceased, - Filed.

Recites that Thomas Spriggs died, on May 13,1851, at Sonoma, in Sonoma County, at the time of his death, a resident of said County, leaving both real and personal estate in this County, all of which is more particularly hereinafter set forth; that the said Spriggs died intestate, and without heirs: that said Spriggs was an alien, and left no relations or connections within this State, or the United States, or elsewhere, to the knowledge of your petitioner: That letters of administration were issued,upon said estate, by the Probate Court of Sonoma County, on September 22, 1851, to James Cooper, and A. C. McDonald: that the said James Cooper died intestate,on the 13th of September, 1856, leaving the administration of said estate incomplete:

That the letters of A. C. McDonald were revoked, on June 15, 1859, leaving the administration of said estate still incomplete: the letters of administration were duly issued to your petitioner,on Aug.3, 1859:

That the only personal property belonging to said estate, that has come to the possession of petitioner is a claim of $2,004.30, against the estate of James Cooper, deceased, and that there is no other personal property belonging to said estate:

That the only claim against said estate, other

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1861

than costs and expenses of administration, is the claim of William K. Burns, of $2,777.50, with interest from February 17, 1851, until paid, which was allowed by the Probate Judge, and the Administrator, and is an admitted claim against said estate:

That the expenses and charges of administration which have already accrued, amount to $605.30: that the expenses of administration which will probably accrue hereafter, are estimated by the Administrator at $1595.00:

That it is necessary to sell the whole, or a large portion of the real estate belonging to said estate, for the payment of the debts allowed, and the expenses of administration:

That the annexed Schedule marked "A", and hereby made a part of this petition, contains a full and correct description of all the real estate of which the said intestate, Thos. Spriggs, deceased, died seized, with the condition and value of the respective portions and lots.

Wherefore, prays for an order authorizing and requiring petitioner to sell the whole, or so much of said real estate as may be necessary to pay said outstanding debts &c.

Verified Augt.7, 1861.

Petition re-filed Aug.7, 1861.

Exhibit "A".

Containing a description of all the real estate of which the said intestate, Thomas Spriggs, died seized, and the condition and value of the respective portions and lots thereof.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1861	A tract of land conveyed by Jos.Wardlow to Thos. Spriggs. Nov 22, 1847, being an undivided one third interest in the tract held in common with N.Carriger and John Lewis, containing one half (1/2) league.or three miles, by one and a half miles, or 2880 acres: the interest of intestate being 960 acres. Being the same tract purchased by Carriger, Lewis and Wardlow from Wm. Mark West, October 11,1847: the interest of the intestate being appraised in the Inventory filed in this Court at $4000.°°: Part of the tract of land is in the possession of N. Carriger, one of the co-tenants of said intestate: and the balance is in the possession of other persons whose names are unknown to the petitioner, and who claim to hold adversely to said intestate and his co-tenants.
Aug. 5.	Order setting Octr.7, 1861, for hearing said petition, and that notice be published in the Sonoma County Democrat, for four successive weeks prior to the time fixed for said hearing. Ent'd E, page 384.
" 7.	Order vacating order made on Aug.5. 1861, and giving Administrator leave to withdraw said petition for sale of real estate. Ent'd E. 399.
" "	Petition of Administrator for sale of real estate. Re-Filed. (Same as filed Aug.5, 1861.)

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1861	
Aug. 7.	Order setting Monday, Oct.7, 1861, for hearing said petition, and that a copy of this order be published at least four successive weeks, in the Sonoma County Democrat, a newspaper printed and published in Sonoma County, prior to the time fixed by the Court for said hearing. Ent'd Mins.E,400'
Octbr.7.	Affidavit of publication of notice to show cause,on petition for sale of real estate, in Sonoma County Democrat, for four successive weeks, commencing on Aug.8th. and ending September 1, 1861, - Filed.
" "	Order appointing L D. Latimer,Esq, an attorney for the creditors of said estate. Ent'd E, page 435.
" "	Order of sale of the real estate described in petition filed Aug.5 & 7, 1861, that notice of the time and place of said sale be given, by posting notices, and by publication, for three weeks successively,in some newspaper printed and published in Sonoma County, Filed and Entered, E, 435.
" 18.	Affidavit of publication of notice of sale of real estate, in "The Sonoma County Democrat", once a week for four successive weeks, commencing on October 17, and ending on Nov.7, 1861, - Filed.
" 20.	Return of sales of real estate, made on Nov.8, 1861, and petition for confirmation, verified by the Administrator,Nov.20, 1861, - Filed.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1861

Shows sale at public auction, in front of the Court House door, in the Town of Santa Rosa, Sonoma County, the premises described in said order of sale as follows:

The following described tract of land, being a portion of said Rancho San Miguel, and being a tract of land conveyed to Carriger, Lewis and Wardlow.by the said Wm. Mark West, and conveyed to Thomas Spriggs by Joseph Wardlow, Nov.22, 1847, and bounded and described as follows:-

Beginning at a point on said West's Mill Creek, where Captain John Cooper's line strikes the same: thence in a Southerly course, one mile and a half, English measure: thence making a right angle, and running in an Easterly direction, 3 miles: thence making a right angle, and running in a Northerly direction, to the said Mill Creek, one mile and a half: thence in a Westerly direction, down with the meanders of said Creek, to the point of beginning,so as to include, in the whole survey, one half league, or three miles, by one and a half miles, containing 2,880 acres, more or less.

The interest of said intestate in the above described tract of land being an undivided one third, held in common with N. Carriger and John Lewis, or about 960 acres, to Berthold Hoen, for the sum of $3,050.00: the said Berthold Hoen being the highest and best bidder for the same, and that being the highest and best price offered for the same:

Attached to the return of sales, is an affidavit

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1861	of Chas. P. Wilkins as to his posting three notices of the time and place of holding such sale.
Novbr.30.	Order setting January 6, 1862, for hearing said account of sales, and that notice be published in the Sonoma County Democrat, for two weeks, previous to January 6, 1862. Filed and Entered. E, page 461.
1862	
Janry. 6.	Affidavit of publication of notice of hearing return of sale of real estate, in The Sonoma County Democrat, once a week, for two successive weeks, commencing on December 5th, and ending on December 19,1861, Filed.
	Five affidavits as to value of the property sold. Filed.
	Order and Decree confirming the sale of the first tract of land, sold to Berthold Hoen, to wit, 3 square miles, more or less, of the Mark West Rancho. And it is further ordered and decreed, that the sales of the above mentioned 2nd, 3rd, 4th, 5th and 6th described tracts of land, made to Berthold Hoen, Franklin Sears, Julio Carrillo, William J.Reynolds, and Patrick Hayne, respectively, be, and the same is hereby set aside and annulled, and that said purchasers take nothing by their said respective purchases. Filed and Entered E.474.
Janry. 6.	Exceptions of Berthold Hoen, Patrick Hayne and Frank-

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1862	lin Sears, to the order annulling said sale, Filed. Undertakings of Berthold Hoen, Patrick Hayne and F. Sears,on appeal to the Supreme Court of California, Filed. Stipulation of Administrator, waiving notice of appeal, - Filed. Two stipulations as to the documents that shall constitute the statement on appeal, - Filed.
Janry. 6.	Stipulation that the transcript on appeal, in said appeal of said Hoen, conctitutes,and shall be the transcript on appeal, in the said appeals of said Sears and Haynes, and that the Judgment of the Supreme Court, on the appeal of said Hoen, shall apply to, and constitute the judgment in the appeals of Sears and Haynes, - Filed.
April 10.	Ordered that the Administrator pay the claim of Wm. Burns, amounting to $5,500.00 and $____,his costs therein &c, Filed and Entered, E, page 537.
July 7	Remittitur from the Supreme Court, on the appeal of B. Hoen, - Filed. Reverses so much of the order of the Probate Court made on January 6, 1862, as set aside the sale of the second parcel of land, to said Hoen. Directs the Court to confirm the sale of that parcel, and to order the Administrator to execute a conveyance to him of the same.
August 4.	Remittiturs from the Supreme Court, in the appeals of P. Hane and Franklin Sears, - Filed.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1862	Reverses Decree in each case, in conformity with the Remittitur in the case of B. Hoen.
August 11.	Order Confirming all the sales of real estate made on Nov.8, 1861, and directing the Administrator to execute conveyances to each of the purchasers thereof Filed and Entered, E. page 362.
1869 May 3.	Order and Decree, that the whole of the residue of said estate (consisting of personal property,) be distributed to John Spriggs, &c &c, and that upon filing the necessary receipts therefor, the Administrator be discharged &c. Filed and Entered, G, 420.
1872 March 22.	Receipt of John Spriggs, by Latimer and McCullough, his attorneys, for all moneys distributed to him by the order of the Probate Court, made and entered on March 8, 1869, - Filed.

Probate Court in and for Sonoma County, August term, 1861.

In the Matter of the Estate
—of—
Thomas Spriggs, Deceased.

ORDER OF SALE.

Dated October 7, 1861.

Recites that it appearing to the Court, upon the application of William B. Atterbury, Administrator of the estate of Thomas Spriggs, deceased, that he presented to, and filed in this Court, at the August term, 1861, thereof, to wit, on Aug.5, 1861, his petition in writing &c, showing therein the amount of personal property and estate that has come to his hands, and how much thereof remains undisposed of; the debts outstanding against the deceased, the debts, expenses and charges of the administration already accrued, and an estimate of what may accrue during the administration, a description of all the real estate of which the intestate died seized, or in which he had any interest, or had acquired any interest, and the condition and value of the respective portions and lots, and whether the same was community or separate property, and showing that there was not sufficient personal property and estate in the hands of said Administrator, to pay the debts outstanding against the deceased, and the expenses of administration, and that it is necessary to sell the whole, or a large portion of the real estate of the deceased, for the payment of the debts allowed, and the expenses of administration, and further showing therein, that the said deceased died intestate, and without heirs:

That deceased was an alien, and left no relations in this State, or elsewhere, to the knowledge of the said petitioner:

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

And, upon such petition and application of said Administrator, it was, on August 5, 1861, ordered by the Judge of this Court, that Monday, October 7, 1861, be appointed for all persons to show cause why an order should not be granted to the said Administrator, to sell so much of the real estate of the deceased.as shall be necessary to pay such debts, and that a copy of the said order be published, at least four successive weeks, in the Sonoma Democrat, or a newspaper printed and published in the County of Sonoma, prior to the time fixed by this Court for said hearing:

And on October 7, 1861 &c, due proof having been made and filed, in this Court, of the publication of a copy of the said order to show cause, in said newspaper &c &c,

And it appearing to the satisfaction of the Court, that the decedent has no heirs or relations in this State, or in the United States, or elsewhere, and that said decedent was an alien, and the Court deeming it necessary, having appointed L D. Latimer, Esq. an attorney for the creditors of said estate, they being unrepresented, and said attorney having appeared on the hearing, and after fully examining the matter of this application, consenting thereto:

And it appearing to the satisfaction of the Court, upon such hearing and examination and proofs, that a large claim has been duly allowed and established against said estate, other than costs and expenses of administration, and that said claim is justly due by said estate, to such claimant, which debt is particularly as follows, viz,

The claim of William K. Burns, for the sum of $2,777.50, which said claim draws interest, from Oct.24, 1851, until paid:

And that a sale of the property is necessary for the payment

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

thereof:

And it further appearing to the Court, that there is not sufficient personal property in the hands of the said Administrator. to pay the said debts outstanding against the said deceased. and the debts, expenses and charges of Administration, amounting, and already accrued, hereafter, at the sum of $1595.00,

And it appearing to the satisfaction of the Court, that the only personal property belonging to said estate, is a claim against the estate of one James Cooper, deceased, amounting to the sum of $2,004.37:

And the Court. being satisfied, after a full hearing upon the petition, and on examination of the proofs and obligations of the parties interested, that for the cause heretofore mentioned, to wit, the payment of the said debts outstanding against the deceased, and the debts, expenses and charges of administration that it is necessary and beneficial to sell a portion of the real estate of the deceased:

And it further appearing that no good reason exists why the said order of sale should not be granted, as prayed for in said petition:

Now, on this 7th day of October, A.D.1861, It is ordered and adjudged by the Court that said Administrator be, and he is hereby authorized to sell the following described real estate of the said Thomas Spriggs, deceased. at public auction, to the highest bidder, on the following terms, to wit:-

For Cash.

And it is further ordered that the said Administrator.before proceeding to make the sale aforesaid, give due notice of the time and place of holding said sale, by posting notices thereof, in three of the most public places in the County of Sonoma, in

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

which the said real estate is situated, and publishing a notice thereof in some newspaper printed and published in the said County of Sonoma, for three weeks successively next before such sales &c &c

The following is the real estate hereby authorized to be sold, being situated in the County of Sonoma, California, viz:-

All that certain tract of land conveyed by Joseph Wardlow to Thomas Spriggs, November 22, 1847, being an undivided one third interest in the tract held in common with N. Carriger and John Lewis, containing one half league, or three miles, by one and one half miles, or 2,880 acres.

The interest of the said intestate being 960 acres of land.

Being the same tract purchased by Carriger, Lewis and Wardlow from Wm. Mark West, onthe 11th day of October, 1847.

W. Churchman,
Probate Judge.

Certified to be a true copy, October 11, 1861, by Wm.L.Anderson, Co.Clerk &c, Sonoma County, by Wm.H.Crowell,Dep.Clerk.

Recorded October 11, 1861.

Liber A of Probate Orders, page 111.

Probate Court in and for Sonoma County.

In the Matter of the Estate
—of—
Thomas Spriggs, Deceased.

CONFIRMATION AND REJECTION OF SALES.

Dated January 6, 1862.

Recites that an order was made and entered, on October 17,1861 by this Court, authorizing and directing William B. Atterbury, Public Administrator &c, and Administrator of the Estate of Thomas Spriggs, deceased, to sell certain real estate belonging to said estate of Thomas Spriggs, deceased:

That on November 30, 1861, upon the petition of said Administrator, showing that he had made a sale of said real estate &c, this Court appointed Monday, January 6, 1862, at the Probate Court in the Town of Santa Rosa, as a time and place for making a return of said Administrator's proceedings, under the said order of sale, and for filing, by any person interested, written objections to the confirmation of the said sale, and that notice of said order be given, by publication &c, in the Sonoma Democrat &c:

Now, on this Jany.6th, 1862, proof having been made to the satisfaction of this Court &c, of the due publication of said order, at least two weeks, in said paper &c: and the said Administratpr &c, having made a return of his proceedings, under the said order of sale, and duly returned an account of sales (verified by his affidavit and oath,)to this Probate Court, who, having examined the same &c: and it having been proved to the satisfaction of this Court, that said Administrator caused notice

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of the time and place of holding such sale &c, to be posted up in three of the most public places in said County of Sonoma &c, and to be published in the Sonoma County Democrat, a newspaper published in the Town of Santa Rosa, in said County of Sonoma, for three weeks successively next before such sale &c:

That on November 8, 1861, at the Court House door, in the Town of Santa Rosa &c, he caused to be sold, in separate parcels, the following real estate, described in said order of sale,and in said notice, and that said tracts or parcels of land were sold in the following order, to wit,

All that certain tract of land conveyed by Joseph Wardlow to Thomas Spriggs, November 22, 1847, being an undivided one third interest in the tract held in common with N. Carriger and John Lewis, containing one half league, or three miles, by one and one half miles. The interest of the said intestate being 960 acres of land. Being the same tract purchased by Carriger,Lewis and Wardlow from Mark West, on October 11, 1847:

That at such sale, Berthold Hoen became the purchaser of the above mentioned and described tract or parcel of land, for the sum of $3,050.00 cash, he being the highest and best bidder, and said sum being the highest and best sum bid:

That on the day of sale, each of said purchasers paid to said Administrator 10% of the amount of his bid:

That the said sale, and the sale of each distinct parcel or tract above described, was legally made and fairly conducted:

That due proof was made, to the satisfaction of this Court, of the price being proportionate to the value of the property sold to the said purchasers, Berthold Hoen, Franklin Sears,and Patrick Hayne, and that a sum exceeding the bids of the said last mentioned purchasers, or either of them, at least 10%,ex-

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clusive of the expenses of a new sale, cannot be obtained:

That no person interested in the said estate, or otherwise, having appeared and filed or made any objections to the confirmation of the said sale: and L. D. Latimer, heretofore duly appointed by this Court to represent the creditors of said estate, having appeared and made no objections to this order, but expressly assenting thereto:

And it appearing to the satisfaction of the Court, that the sale of the first described tract of land, as above stated, to Berthold Hoen, has realized a sum of money sufficient to pay the debts of the said decedent, and the probable expenses of administration,

It is hereby ordered, adjudged and decreed, that the said sale of the first mentioned tract of land mentioned in the said order of sale, and sold by said Administrator to the said Berthold Hoen, be, and the same is hereby confirmed and approved and described valid.

And it is further ordered and decreed, that the sales of the above mentioned second, third, fourth, fifth and sixth described tracts of land, made to Berthold Hoen, Franklin Sears, Julio Carrillo, William J. Reynolds, and Patrick Hayne respectively, be, and the same is hereby set aside and annulled, and that said purchasers take nothing by their said respective purchases, and the said Administrator is hereby directed to execute and deliver to the said Berthold Hoen, the proper and legal conveyance for the land so sold and confirmed to him, as hereinbefore described and set forth.

&c

(Signed)

&c

Wm. Churchman,
County Judge. and Judge of
the Probate Court of the Coun-

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-ty of Sonoma, State of California.

Certified to be a true copy, Janry.6, 1862.by Wm.L.Anderson, Co.Clerk &c, by Wm. H. Crowell. Dep. Clerk.

Recorded Jany.29, 1862.

Liber A of Probate Orders, page 124.

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Probate Court in and for Sonoma County.

In the Matter of the Estate
of
Thomas Spriggs, Deceased.

CONFIRMATION OF SALES.

Dated Aug.11, 1862.

Recites, that whereas, heretofore, on January 6, 1862, an order and decree was made and entered, in said Probate Court, in the words and figures following, to wit:-

(Here follows copy of an order of the Probate Court, same as Liber A of Probate Orders, page 124; on page 101 of this Abstract.)

And the said Berthold Hoen named in said order and decree, having duly appealed to the Supreme Court of California, from so much of the said order and decree as ordered, adjudged and decreed that the sale of the lands secondly described in said order and decree be set aside and annulled, and that the said purchaser, Berthold Hoen take nothing by his purchase thereof, at the Administrator's sale mentioned in said order and decree, and the said Supreme Court, on said appeal, having reversed so much of said order and decree as so appealed from by the said Berthold Hoen, and the said Supreme Court having also, on the said appeal, adjudged and decreed, that this Court should confirm and approve the sale to the said Hoen, of the piece of land secondly described in said order and decree, and should direct the said Administrator, upon the payment to him, the balance of the purchase money, by said Hoen, to execute and deliver to said Hoen, a deed of the said secondly described parcel of land, and the remititur of the Supreme Court, upon the appeal of the said Hoen, to the effect aforesaid, having been duly filed in

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the office of the Clerk of this Court, on July 7, 1862,

Now, on motion of W. W. Stow, Attorney for the said purchaser Berthold Hoen, and in hearing, Wilkins & Temple, Esqs. of counsel for the said Administrator, no person interested in the said estate or otherwise, having appeared and filed or made any objections to the confirmation of the said sale: and L. D. Latimer Esq., an attorney and counsellor of the Supreme Court of this State, and of this Court, heretofore duly appointed by this Court attorney to represent the creditors of said estate, having been duly notified, and having appeared, in open court, and made no objections to this Order, but having expressly assented thereto, In obedience to the said remittitur, and the order, decision and judgment of the Supreme Court aforesaid, it is now, by this Court, ordered, adjudged and decreed, that the said sale of the said secondly described piece of land mentioned in said order of sale, and sold by said Administrator to said Berthold Hoen, for the sum of $3,050.00 be, and the same is hereby, in all things, confirmed and approved, and declared valid:

And the said Administrator is hereby directed to execute and deliver to the said Berthold Hoen, purchaser of the said secondly above described piece or parcel of land, a proper and legal conveyance for the said secondly described piece or parcel of land, so sold to him at said sale, conveying to him all the right, title, interest and estate of the said intestate, Thomas Spriggs, in and to the said secondly described premises, so purchased by said Hoen, as owned and possessed by said intestate at the time of his death, and all the right, title and interest that the said estate, by operation of law, or otherwise, may have acquired in the said premises secondly described as aforesaid, other than, or in addition to that of the intestate at the time of his death.

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(Signed) Wm. Churchman,
Probate Judge.

Certified to be a true copy, Aug.13, 1862, by Wm.L.Anderson, Clerk,

Recorded Aug.13, 1862,
Liber A of Probate Orders, page 150.

William B. Atterbury.

Public Administrator, and Administrator of the Estate of Thomas Spriggs,dec'd.

—TO—

Berthold Hoen.

DEED.

Dated September 12, 1862

Witnesseth, That Whereas, on the 17th day of October,A.D.1861, the Probate Court of the County of Sonoma, made, and duly entered an order, authorizing and directing the said William B. Atterbury, Administrator as aforesaid, to sell, in separate parcels, at public auction, to the highest bidder, for cash,certain real estate belonging to said estate of Thomas Spriggs,deceased, lying and being in said County of Sonoma, and particularly described in said order of sale, a certified copy of which order was duly recorded in the office of the County Recorder of the County of Sonoma, on the 11th day of October, A.D.1861, in Book A of Probate Orders, on pages 111 &c, which said order is hereby referred to, and made part of this Indenture:

And Whereas, under and by virtue of said order of sale,and pursuant to legal notices given thereof, the said party of the first part, on Friday, the 8th day of November. A.D.1861, at the Court House door, in the Town of Santa Rosa, County of Sonoma, at 2 o'clock P.M. offered for sale, in separate parcels, at public auction, to the highest bidder for cash, and subject to confirmation by said Probate Court, the said real estate described in said order of sale, and at said sale the party of the second part became the purchaser of the tract of land secondly described in said order of sale, and hereinafter described,for

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the sum of $3,050.00, being the highest bid offered therefor:

And Whereas, the said Probate Court, upon the due and legal return of the said W. B. Atterbury. Administrator as aforesaid, of his proceeding under the said order of sale,made at a subsequent sitting of said Court, to wit,on Janry.6th, A.D.1862.after making the said sale, upon notice, of at least ten days, given in such manner as the said Court had directed, did, on January 6, 1862, make an order, rejecting and refusing to confirm said sale so made to the party of the second part:

And Whereas, the said Berthold Hoen duly appealed to the Supreme Court of the State of California, from so much of said order and decree as ordered, adjudged and decreed that the sale of the piece or parcel of land secondly described in said order of sale be set aside and annulled, and that the said Berthold Hoen, the purchaser, take nothing by his purchase therefor,at the Administrator's sale mentioned in said order: and the Supreme Court, having reversed so much of said order and decree as was so appealed from by the said Berthold Hoen, and the said Supreme Court having also, on said appeal, adjudged and decreed that the said Probate Court should confirm and approve the sale so made to the said Berthold Hoen, of the piece or parcel of land secondly described in said order and decree, and should direct the said administrator, upon payment to him of the balance of the purchase money bid by said Hoen, to execute and deliver to him a Deed of said secondly described piece or parcel of land, and the remittituer of the Supreme Court, upon the appeal of the said Berthold Hoen, to the effect aforesaid, having been duly filed in the office of the Clerk of said Probate Court, on July 7, 1862,

And Whereas, the said Probate Court, upon the filing of said

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remittiture of the Supreme Court, did, on August 11th, 1862.in open court, at a regular term thereof, make an order confirming the said sale so made to the party of the second part, and directing a conveyance to be made to him, the said Berthold Hoen, purchaser of the tract of land secondly described in said order of sale, conveying to him all the right, title and interest of said intestate, in the said premises so purchased by the said Berthold Hoen, as named and possessed by said intestate at the time of his death, and all the right, title and interest that the said estate, by operation of law or otherwise, may have acquired, other than, or in addition to that of the intestate, at the time of his death, a certified copy of which order of confirmation was recorded in the office of the County Recorder of Sonoma County, on August 16, 1862, in Book A of Probate Orders page 150 &c, which said order is hereby refered and made part thereof:

Now Therefore, the said W. B. Atterbury, Administrator as aforesaid, party of the first part, pursuant to the said order of the Probate Court, for and in consideration of the sum of $3,050.00 &c, Doth grant, bargain sell and convey unto Berthold Hoen, second party &c, all the right, title, interest and estate of said Thomas Spriggs, at the time of his death, and all the right, title and interest that the said estate, by operation of law, or otherwise, may have acquired, other than, or in addition to that of said intestate at the time of his death, in and to that certain tract of land conveyed by Joseph Waldrow to Thomas Spriggs, Nov.22, 1847, being an undivided one third interest in the tract held in common with N. Carriger and John Lewis, containing one half league, or three miles, by one and one half miles, and the interest of said intestate being 960 acres of land.

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Being the same tract purchased by Carriger, Lewis and Waldrow from Mark West, on the 11th day of October, 1847.

(Signed) Wm. B. Atterbury, (Seal)
Admir.of Est.of Thos.Spriggs.

Acknowledged (properly.) September 18, 1862
Before Jno. N. Bailhache, N. P.
Sonoma County.

Recorded September 29, 1862
Liber 13 of Deeds, page 208 .

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Berthold Hoen,

—TO—

Charles Mayne.

DEED.

Dated October 2, 1862.

Cons:-$9000.00.

Doth remise, release and quitclaim &c, all that certain piece of land situate, lying and being in Sonoma County, and situated upon the South of Mark West, or Oclitome Creek, and between said Creek and the Rancho Cabeza de Santa Rosa, and being the same land commonly known as the Rancho San Miguel, or Mark West Rancho, containing one league and a half, more or less.

(Signed) Berthold Hoen, (Seal)

Acknowledged (properly) October 2, 1862.

Before Jno. N. Bailhache, N. P.

Sonoma County.

Recorded (at 57 min. past 4 o'c, P.M.) October 27, 1866

Liber 19 of Deeds, page 523.

Nicholas Carriger.

Plaintiff.

—vs.—

John Cairns, S. Compton,
David Jardine, Berthold Hoen,
Andrew Henry, David W. Cook,
David Evans, Lucy Fulton,
Calvin C. Griffith, and Alonzo Meacham.

LIS PENDENS.

Dated Aug.15, 1864.

Notice is hereby given, to all whom it may concern, that the undersigned has this day commenced a suit, in his own name as plaintiff, against the above named persons as defendants, in the District Court of said County of Sonoma, to declare null and void, a certain deed, purporting to be a Deed of partition of the land therein described, made by James Cooper, of the first part, by John J. Ellis and Jacob M. Ellis, of the second part, and by Nicholas Carriger, of the third part, on the 10th day of November, 1851, and recorded in Book H, page 27, in the Records of said County, and for a just and equal partition, according to the rights of the parties, as set forth in the complaint this day filed, of certain lands situated on what is known as Mark West Mill Creek, in said County, of the following description, to wit, Beginning at a point on said Mark West, or Mill Creek, where the Easterly line of the official survey of the Ranch called El Molino, or Cooper's Ranch, crosses said stream; thence South, with the said line of said Cooper's ranch, one mile and a half; thence Easterly, and parallel with the general course of said Mill Creek, 3 miles; thence North, and parallel to said

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Cooper's Easterly line, one mile and a half, to said Mill Creek; thence Westerly, down the meanderings of said Mill Creek, to the point of beginning, so as to include three miles, fronting on said Creek, by one mile and a half in depth, with such sets off from said Creek, as to embrace 2880 acres of land.

That said action for such partition, is now pending in said District Court.

Signed and filed, this 15th day of August, A.D.1864.

Nicholas Carriger.

Filed and Recorded August 15, 1864.

Liber A of Lis Pendens, page 274.

1864	
August 15.	Complaint filed.
" 16.	Summons and copies of complaint issued.
" 17.	Abstract of Title filed.
" 25.	Demurrer of John Cairns filed.
October 20.	Order allowing plff. to bring in other parties as defts. Amended Complaint filed.
1865	
February 20.	Substitution of Plff. Atty. filed.
21.	Order dismissing case, and granting leave to withdraw papers.
	Papers withdrawn. (The above taken from Reg. Book.)

7th District Court, Sonoma County.

Charles Mayne.

—vs.—

Nicholas Carriger, John Cairnes.
sometimes called John Cairns.
Charles Spencer Compton,
Robert Jardine, (sole heir at law
of David Jardine, Deceased,)
David W. Cook, David Evans,
H. A. Shelton and Lucy Shelton,his wife,
Calvin C. Gfiffith. Alonzo Meacham,
Mrs. Sarah E. Harris, (formerly the
wife of James Cooper, deceased,)
Sidney Harris, her husband,
John Cooper, Barbara Cooper,
Emma Cooper, children of said
James Cooper, Deceased, John Green,
Jeanette Cooper, John Holman,
Administrator of the Estate of
James Cooper, Deceased,
Berthold Hoen, Rudolph Bayers,
Randolph Bayers, Edward Watkins,
Peter Grinnell, and Mary Grinnell,
his wife, John Doe,Richard Roe,
John Doe, Jr., Richard Roe, Jr.,
John Evans. John Doe,Third, Richard
Roe, Third, John J.Ellis,and
Jacob M. Ellis.

LIS PENDENS.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Not Dated.

To obtain a judicial determination of the correct location and boundaries of the lands intended to be conveyed by the Deed hereinafter mentioned, and to obtain a partition and division of said lands, and for such further and other relief as shall be equitable.

The lands affected by said action, and of which partition is sought, are situate in Sonoma County, and intended to be conveyed by a certain indenture bearing date October 11,1847,recorded in the County Recorder's office of said County, in Book C of Deeds, page 1 &c, in which Indenture, William Mark West was grantor, and John Lewis, Nicholas Carriger and Joseph Wardlow were grantees, and which Deed purported to convey a tract of land by the following description and boundaries, -

A certain tract or parcel, lying, being and situated in the Rancho San Miguel, and beginning at a point on said West's Mill Creek, where Captain John Cooper's line strikes the same: thence in a Southerly course, one mile and a half, English measure; thence making a right angle, and running in an Easterly direction, three miles: thence making a right angle, and running in a Northerly __, to the said Mill Creek, one mile and a half; thence in a Westerly direction, down with the meanders of said Creek, to the point of beginning, so as to include in the whole survey, one half league, or three miles, by one and one half miles, containing 2,880 acres.

Filed and Recorded October 20, 1865,

Liber A of Lis Pendens. page 298.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

In the District Court of the 7th Judicial District, County of Sonoma, State of California.

Complaint in Equity.

Charles Mayne, Plaintiff,

—vs.—

Nicholas Carriger, John Cairnes, sometimes called John Cairns, Charles Spencer Compton. Robert Jardine, (sole heir at law of David Jardine Deceased,) David W. Cook, David Evans, H. A. Shelton and Lucy Shelton, his wife, Calvin C. Griffith, Alonzo Meacham, Mrs. Sarah E. Harris (formerly the wife of James Cooper, deceased,) Sidney Harris, her husband, John Cooper, Jeannett Cooper, Barbara Cooper, Emma Cooper, children of said James Cooper,deceased,John Green, John Holman, Administrator of the Estate of James Cooper, deceased, Berthold Hoen, Rudolph Bayers. Randolph Bayers, Bolivar Bayers, Edward Walkins, Peter Grinnell, and Mary Grinnell, his wife,John Doe, Richard Roe, John Doe,Jr.,Richard Roe,Jr. John Evans, John Doe,Third, Richard Roe,Third, John J. Ellis, and Jacob M. Ellis,

Defendants.

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FINDINGS OF FACT AND CONCLUSIONS OF LAW.

The above entitled action, having come on to be tried at the regular October term of said Court, A.D.1866, to wit, on the 26th day of said month and year, the undersigned Judge of said Court, having heard the proofs and allegations of the parties, finds the following facts,

I.

That the parties who appeared in the action, waived a jury trial, in open Court, and withdrew their demands for a jury trial.

II.

That the summons and a duly certified copy of the complaint in this action, was personally served upon each of the defendants above named, except the defendants David Evans and Chas. Spencer Compton and Robert Jardine, more than forty days prior to the said trial; that the default of all the defendants who have not answered, except said Evans, has been duly entered.

That said Evans died intestate, prior to the commencement of this action; That said Robert Jardine duly entered his appearance in this action, but did not answer;

III.

That the lands and premises described in the complaint, are part and parcel of the Rancho "San Miguel", sometimes called the Mark West Rancho, and situate in said County and State;

That said Rancho was granted by the Mexican Nation to William Mark West, in the year A.D.1844, to wit, by Juan B.Alvarado, Mexican Governor of all California.

That said Rancho was finally confirmed to the heirs of said William Mark West, in the month of June, A.D.1865, under and in

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pursuance of the Act of Congress of March 3, 1851, entitled "An Act to ascertain and settle the private land claims in the State of California;"

That said Mark West died, prior to the organization of the Board of United States Land Commissioners, under said Act of Congress.

IV.

That on the 11 day of October,A.D.1847, said Wm. Mark West, then being in life, and seized and in possession of said Rancho "San Miguel", by Deed of that date, for the consideration of $600.°°, to him in hand paid by Nicholas Carriger (deft.) John Lewis, and Joseph Wardlow, granted, bargained, sold and conveyed, in fee simple absolute, to said last mentioned person, the 2880 acre tract of land particularly described in the complaint, to have and to hold the same, unto said last named persons, as tenants in common, their heirs and assigns forever.

V.

That on the 22 day of November,A.D.1847, said Joseph Wardlow for the consideration of $600.00 to him then paid by Thomas Spriggs, now deceased, by Indenture of that date, signed, sealed and acknowledged by said Wardlow, granted, bargained, sold and conveyed to said Thomas Spriggs, the equal, undivided one third, of the lands and premises described in Plffs.complaint.

VI.

That James Cooper, deceased,(mentioned in the pleadings,) did not, at or before the execution and delivery of the Deed mentioned in the V Findings of Fact, furnish or pay the whole or any part of the purchase money so paid by said Thomas Spriggs,to said Wardlow, as the consideration for the execution and delivery of said Indenture mentioned in the V Findings.

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VII .

That said Thomas Spriggs died intestate, in the said County of Sonoma, in the month of May, 1851, seized of the equal one third of the tract of land described in the complaint, and of which partition is sought in this action.

VIII.

That said James Cooper, deceased, was appointed Administrator of the Estate of said Thomas Spriggs, deceased, in the month of November, A.D.1851, by the Probate Court of Sonoma County,Cal., and qualified and acted as such, until his death; which took place in the year A.D.1856;

That. after his appointment as such Administrator (and not before,) said James Cooper,deceased, entered into the possession of a portion of the tract of 2880 acres fifthly as aforesaid described in the complaint.

IX.

That said James Cooper, deceased, never had any estate,right, title or interest, legal, or equitable, as cestinque trust,or otherwise, of, in or to any part or portion of the lands and premises of which partition is sought in this action.

X.

That prior to the 10th day of November,A.D.1851, John J.Ellis and Jacob M. Ellis had succeeded as the grantee of said John Lewis, to the ownership of the equal undivided one third of land and premises in the complaint described.

XI.

That on the 10th day of November, A.D.1851, the said Nicholas Carriger, said John J. and Jacob M. Ellis, and said James Cooper, the latter untruly claiming to be the owner of the one third thereof, so as aforesaid conveyed by said Wardlow to said Thomas

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Spriggs, made a voluntary partition and division of said 2880 acres described in the complaint, and for that purpose mutually executed and delivered an Indenture of three parts, reciting that said parties were tenants in common thereof, and whereby said Carriger and said James Cooper remised, released and conveyed, in severalty, to said John J. and Jacob M. Ellis, a portion of said 2880 acres (described in complaint,) and said Cooper and Ellis remised, released and conveyed to said Carriger, in severalty, a portion of said 2880 acres: and said Carriger and Ellis & Ellis, remised, released and conveyed to said James Cooper, in severalty, the remaining portion of said 2880 acres, the portions so severally conveyed being described by metes and bounds,

XII.

That the said Ellis and Ellis, and said Carriger were induced to enter into and execute said partition deed, Nov.10, 1851, by the untruthful representation of said James Cooper, to the effect that said James Cooper was the owner of the equal undivided one third of said 2880 acres, so conveyed by said Wardlow to said Thomas Spriggs:

That said Carriger and Ellis and Ellis would not have executed and delivered said Deed of Nov.10, 1851, had they been aware that said James Cooper had no estate or interest in the lands and premises described in the complaint.

XIII.

That under and in pursuance of said Deed of Nov.10, 1851, said parties thereto took possession of the respective subdivisions thereof, respectively allotted to them thereby:

That subsequently, and in the year A.D.1852, the defendant

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David W. Cook, under a contract of purchase made by him with said James Cooper, entered into the possession of the portion so allotted to said James Cooper by said partition deed, and he,and his grantees and tenants, have, from that time to the present, remained in possession of such portion:

XIV.

That under and by virtue of a petition therefor, presented by the duly appointed, qualified and acting Administrator of said Thomas Spriggs, deceased, viz, Wm.B. Atterbury, to the Probate Court of Sonoma County (of which County said Spriggs was a resident, at the time of his death,) an order of sale duly made by said Probate Court,sale thereunder, order and decree of said Court, confirming said sale, Administrator's Deed to B. Hoen, and conveyance from said Hoen to Plaintiff, Plaintiff was,at the commencement of this action, and still is, the owner.in fee simple, of all the estate, right, title and interest which was conveyed by said Wardlow to said Spriggs, and of which said Spriggs died seized, as aforesaid.

XV.

That, by sundry mesne conveyances. from said John Lewis and his grantees, said Plaintiff was, at the commencement of this action, and still is seized, and the owner, in fee simple absolute, of an additional equal undivided (1/12th) one twelfth part of the lands and premises described in the complaint,to wit:

Said 2880 acres, so conveyed by said Wm.Mark West to said Carriger, Lewis and Wardlow, making the whole undivided interest and estate of plaintiff in the premises, of which partition is sought, equal to the undivided (5/12th) five twelfths part thereof.

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That the plaintiffs interest therein, is not incumbered by Mortgage, judgment, or other lien.

XVI.

That neither said Thomas Spriggs, in his lifetime, or any person claiming under him, has done or suffered any act to estop him, or the plaintiff claiming under him, from asserting title to, and right to have partition of the lands and premises of which partition is sought.

XVII .

That deft Carriger was, at the commencement of this action, and still is, seized, and the owner of the equal, undivided one third of said 2880 acres, described in the complaint, and the same is not encumbered in any manner.

XVIII.

That defendant John Cairns was, at the commencement of this action, and still is, the owner, in fee simple absolute, of the equal undivided (1/6th) two twelfths)of said 2880 acres described in the complaint, and the same is not encumbered in any manner.

XIX.

That defendant Alonzo Meacham was, at the commencement of this action, and still is,the owner,in fee simple, of the equal, undivided (1/12) one twelfth of said 2880 acres described in the complaint, and the same is not incumbered in any manner.

XX.

That at the commencement of this action, to wit, the 20th day of October, A.D.1865, the plaintiff filed in the office of Co.Recorder of Sonoma County, a notice of the object of this action, correctly describing the land and premises affected thereby, and described in the complaint, and giving the names of all the parties, as set out at the head of these findings;

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That said notice of Lis Pendens was recorded in the County Recorder's Office of said County, in Liber No.A of Lis Pendens, page 298, 299, on said last mentioned day.

XXI.

That at the commencement of this action, the plff.and the defendants Carriger, Cairns and Meacham, were each in possession as tenants in common, of portions of the lands and premises described in complaint.

XXII.

That defendant Berthold Hoen has no estate, right, title or interest in lien, charge, or encumbrance, upon the lands and premises described in the complaint, or any part thereof.

XXIII

That defendants John Green and John Holman, are the duly qualified and acting Administrators of said James Cooper,deceased,

That deft.Sarah E. Harris,is the widow of said James Cooper, and is now the wife of deft. Sidney Harris;

That defendants John Cooper, Jeannette Cooper, Barbara Cooper and Emma Cooper,are children of said James Cooper,deceased,and, with their mother, Sarah E. Harris, are sole heirs at law of said James Cooper, deceased.

XIV.

That defendants Mary Grinnell and Lucy Shelton,are the sole heirs at law of said David Evans, deceased.

XV.

That none of the parties to this action, except the plff.and defendants Carriger, Meacham and Cairns, have any estate, right, title or interest, legal or equitable, of, in or to the lands and premises described in the complaint, or any part thereof,or any lien, charge or encumbrance whatsoever, thereon, or any part

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

thereof.

XXVI.

That all the defendants named in the complaint were necessary made defendants, because they asserted and claimed to have some estate, right, title or interest, in lien, charge or encumbrance upon the lands and premises described in the complaint, to wit, said 2880 acres.

XXVII.

That the defendants. David W. Cook, H. A. Shelton, and Lucy Shelton, his wife, Peter Grinnell, and Mary Grinnell, his wife, C. C. Griffith, and John Evans, are wrongfully and unlawfully in possession of the lands and premises described in the complaint.

CONCLUSIONS OF LAW.

1st:- That the alleged partition between J. M. and J. J. Ellis, of the one part, deft. Carriger, of the other part, and said James Cooper, of the other part, was and is,wholly null and void, and no estate or interest, of, in or to the lands and premises described in the complaint, or any part thereof,passed thereby to said James Cooper,deceased, for want of consideration, and by reason of the untruthful representation of said James Cooper.

2nd:- That there be, and the plff is entitled to have set apart, and allotted to him, severalty, quality and quantity relatively considered, the equal (5/12) five twelfths parts of the lands and premises described in the complaint.

3rd:- That there be, and deft. Cairns is entitled to have set apart and allotted to him, in severalty, quantity and quality

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

relatively considered, the equal (2/12) two twelfths parts of the land and premises described in the complaint.

4th:- That there be, and deft. Carriger is entitled to have set apart and allotted to him, in severalty, quality and quantity relatively considered, the equal four twelfths (4/12) of the lands and premises described in the complaint.

5th:- That there be, and defendant Meacham is entitled to have set apart and allotted to him, severalty, the equal one twelfth (1/12) part of the lands and premises described in the complaint.

6th:- That in making partition and division of the lands described in the complaint, the referees who shall be appointed to make the same, shall commence the measurement of the lands to be divided and partitioned, at the point of Mark West Creek, where, in the year 1847. the line of the Rancho El Molino, as then understood and recognized, crossed said Creek: thence at right angles to said Creek, in a Southerly direction, one and one half miles; thence in an Easterly direction, parallel with said Creek, three miles; thence in a Northerly direction, at right angles to said Creek, and running to said Creek, one and one half miles; and thence down said Creek, to place of beginning.

That so much of said lands as shall be found not to be included in the Rancho San Miguel, be deducted from the number of acres directed to be partitioned.

7th:- That the parties who are named in the Second, Third, Fourth and Fifth Conclusions of Law, be placed, put and maintained in the exclusive possession, in severalty, of the respective allotments of said Rancho, which may be partitioned to them, in pursuance of the Decree herein:

8th:- That all the defendants (except Carriger, Cairns and Meacham,) have no estate or interest, in lien, charge, or encumbrance, upon the lands and premises described in the complaint,

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

or any part thereof.

9th:- That the costs and disbursements of this action.be apportioned, borne, and paid as follows, viz:-

5/12 by Plff; 2/12 by Deft Cairns; 1/12 by deft.Meacham; and 4/12 by deft.Carriger; and Judgment is hereby ordered in conformity with the foregoing facts and conclusions of law.

Dated October 27, 1866, and ordered filed.

(Signed) J. B. Southard,
District Judge.

1866	
October 27.	Judgment entered. Judgment docketed and roll filed. Cost bill filed.
Nov. 3.	Notice of filing findings filed.
" 16.	Order extending time to Nov.26th, to file statement on appeal.
" 24.	Statement on appeal to Supreme Court. Appeal not perfected.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Charles Mayne.

—TO—

John Cairns.

DEED.

Dated October 24. 1866.

Cons:-$1000.00.

(Rev.Stamp $1.00 cancelled.)

Does remise, release and quitclaim &c, all the estate and interest which the party of the first part hath derived from and under Thomas Spriggs, deceased, of, in and to all that certain portion of the San Miguel Rancho, situate in Sonoma County, State of California, bounded on the West by the land now or formerly owned by Nicholas Carriger; on the North by the Creek.called Mark West Creek; running up said Creek, one half mile, in an Easterly direction; thence, parallel with the land of Nicholas Carriger, in a Southerly direction, one mile and a half; thence Westerly, to lands of said Nicholas Carriger, one half mile, containing 480 acres, more or less.

(Signed) Chas. Mayne, (Seal)

Witness:-

John White.

Acknowledged (properly.) Nov. 2, 1866.

Before John White. N. P.

Recorded November 7, 1866.

Liber 19 of Deeds. page 382.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Nicholas Carriger and
Alonzo Meacham,
—TO—
John Cairns.

DEED.

Dated October 24, 1866.

Cons:-$10.00.

Do rem[illegible]rtain piece
of land b[illegible]tuate in
Sonoma Co[illegible]icholas Car-
riger; on[illegible]by the lands
of Alonzo[illegible]dary of said
Rancho Sa[illegible]

Being the same land conveyed to Cairns by John S. Ellis and Jacob M. Ellis, by Deed dated January 6, 1853, Being 480 acres of land described in said Deed by specific boundaries.

(Signed) Nicholas Carriger, (Seal)
Alonzo Meacham, (Seal)

Acknowledged (properly.) November 3, 1866,
Before Wm. L. Anderson, County Clerk of
Sonoma County.

Recorded November 7, 1866

Liber 19 of Deeds, page 383.

P.O. Box 4976, Petaluma CA 94955
996-0202 :: 578-6900 :: 527-PEST

Nicholas Carriger and
Alonzo Meacham,
—TO—
John Cairns.

DEED.

Dated October 24, 1866.

Cons:-$10.00.

(Rev.Stamp 50¢ cancelled.)

Do remise, release and quitclaim &c, all that certain piece of land being a portion of the Rancho San Miguel, situate in Sonoma County, bounded on the West by the land of Nicholas Carriger; on the North by Mark West Creek: on the East by the lands of Alonzo Meacham; on the South by the Southern boundary of said Rancho San Miguel.

Being the same land conveyed to Cairns by John J. Ellis and Jacob M. Ellis, by Deed dated January 6, 1853, Being 480 acres of land described in said Deed by specific boundaries.

(Signed) Nicholas Carriger, (Seal)
Alonzo Meacham, (Seal)

Acknowledged (properly.) November 3, 1866,
Before Wm. L. Anderson, County Clerk of
Sonoma County.

Recorded November 7, 1866

Liber 19 of Deeds, page 383.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

John Cairns.

—TO—

Thomas J. Drennan.

DEED.

Dated June 30, 1868

Cons:-$15,000.00.

(Rev.Stamp $15.00 cancelled.)

Does grant, bargain, sell &c, all his right, title and interest to that certain piece of land situated in Sonoma County, part of the "San Miguel" Rancho, bounded and described as follows, to wit:-

Bounded on the West by the lands now, or that time,owned by Nicholas Carriger; on the North by the Creek called "Mark West Creek; running up said Creek, in an Easterly direction,a distance of half a mile: thence South, and parallel with Carriger's land, and along the line of land owned by Alonzo Meacham, about one mile and one half, to the Southern boundary line of the "San Miguel" Rancho; thence along and with the Southern boundary line of said Rancho, in a Westerly direction, to the above named N. Carriger's land, containing about 480 acres of land, more or less. It being intended to convey all the right, title and interest of the party of the first part, in the one half league of land originally granted and conveyed by Marcus West to Joseph Wardlow, Nicholas Carriger, and John Lewis, and by them, by subdivision deeds, to John J. and Jacob M. Ellis, and by the latter, by Deed bearing date June 6, 1853, to John Cairns.

Covenant of Warranty in the quiet and peaceable possession.

(Signed) John Cairns, (Seal)

Witness:- F. G. Hahman.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Acknowledged (properly.) June 30, 1868.

Before Wm. L. Anderson, County Clerk of

Sonoma County.

Recorded June 30, 1868.

Liber 24 of Deeds, page 152.

Thomas J. Drennon.

—TO—

John Cairns.

MORTGAGE.

Dated October 15, 1874.

To secure payment of $9,772.00 gold coin, as per three promissory notes, of even date herewith, one for $1772.00, payable one day after date, one for $4000.00, payable on or before December 1st, 1874, and one for $4000.00, payable on or before December 1st, 1875, with interest on each note, from December 1st, 1873, at the rate of one per cent per month, payable annually on December 1st.

Covers the tract of 480 acres of land conveyed by second party to first party, Liber 24 of Deeds, page 152; on page 159 of this Search.)

Acknowledged November 9, 1874

Before Ben S. Wood, County Recorder of
Sonoma County.
by W. T. Johnson, Dep. Recorder.

Recorded November 9, 1874.

Liber 6 of Mortgages, page 36.

CANCELLED

On the margin of the record of this Mortgage, by John Cairns, by F. G. Hahman, Atty. in fact.

Signed and Acknowledged before me, this 11th day of September, A.D.1877. O. H. Hoag, Co. Recorder.

by W. R. Hall, Dep. Recorder.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Santa Rosa, Octr.2, 1880.

F. G. Nagle,

Searcher of Records.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

James Philbee,
A. Meacham,
T. J. Drennan and
J. H. Espy.
—TO—
The County of Sonoma.

DEED.

Dated August 29, 1871.

Cons:- $1.00.

Conveys, as and for a public road and highway of said County, all that belt of land, having the termini, courses, distances, metes and bounds ascertained by survey of a line at all points in the middle of said way following, to wit:-

Commencing at the West line of Carriger's land: thence Easterly, to across the land of N. Carriger, to Drennan's land: thence Easterly, across the land of T. J. Drennan, to the land of Meacham: thence in the same direction, along the land of Alonzo Meacham, to Bray's: thence Easterly direction, along the land of B. Bray, to Espy's land: thence Easterly to through the lands of said Espy: thence North, between Espy and Tilly, and the land of Tilly and Shelton.

The above land is hereby conveyed, subject to the following conditions, to wit,

The said road shall be declared a public highway, and said first parties shall have the privilege of constructing gates upon said highway until April 1, 1872. The County agrees to build culverts, one on the land of Meacham, and one on the land of Drennan, 7 feet high, and 12 feet wide, and maintain the same, and keep in repair.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

The said belt of land having, at all points, between and at said termini, the width of 40 feet.

(Signed) James Philbee, (Seal)
A. Meacham, (Seal)
T. J. Drennan, (Seal)
J. H. Espy, (Seal)

Acknowledged (properly.) August 29, 1871
Before Z. Middleton, J. P.
Sonoma County

Recorded June 7, 1872.

Liber 39 of Deeds, page 268.

T. J. Drennan.

—TO—

The County of Sonoma.

DEED.

Dated June 17, 1872.

Cons:- $200.00.

Conveys, as and for a public road and highway of said County, all that piece and belt of land, having the termini, courses, distances, metes, and bounds ascertained by survey of a line at all points in the middle of said way, following, to wit:-

Commencing at the line of N. Carriger's land: thence running Easterly, across the lands of said first party, to the land of A. Meacham.

This Indenture made and entered into,on the day and date above mentioned, revokes a Deed for the same, made on August 29, 1871, by which the County of Sonoma bound itself to erect, and keep in repair,stock passes, on the land of first party.

The said belt of land having, at all points between and at said termini, the width of 40 feet.

(Signed) T. J. Drennan, (Seal)

Witness:-

Frank N. Howell.

Acknowledged (properly.) June 17, 1872.

Before A. W. Middleton, N. P.

Sonoma County.

Recorded July 19, 1872.

Liber 39 of Deeds, page 499.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Appertaining to Abstract of Title to 480 acres of the Rancho San Miguel, owned by Thomas J. Drennan.

TAXES.

State and County.

Fiscal Years 1859-60 to 1874-75. inclusive.	Paid.

Road and School Taxes not searched.

No Judgment Liens.

Properly cancelled Mortgages not shown in this Abstract.

Santa Rosa, June Eleventh, A.D.1875, at five o'clock, P. M.

F. G. Nagle,
Searcher of Records,
Sonoma County.

CONTINUATION

of preceding Abstract of Title

—TO—

480 acres of San Miguel Rancho, in Sonoma County, California, owned by Thos. J. Drennan, Since June 11, 1875.

T. J. Drennan.

—TO—

The San Francisco and North Pacific Railroad Co.

DEED.

Dated Aug.24, 1874.

Cons:- $1.00 &c.

Does grant, bargain and sell to second party, the right of way, for the construction of said Company's road, or any part thereof, over, through, upon, or across any land or lands belonging to him. and all his right, title and interest, of whatsoever nature or kind, in and to the same, situated in the County of Sonoma, in said State of California, to and for the width of 60 feet, and for the whole length of the line of said road, through said land or lands, where the said Company have located the line of said railroad.

This conveyance is absolute, and to take effect from and after its execution; but, nevertheless, in case said Company shall fail to construct their said road, and put it into operation within five years from this date, the same shall become null and void.

And it is hereby understood, and made a condition to the consideration of the execution of these presents, that the line of the road above referred to, shall be constructed on the route of the present survey, as last made (to wit, August 22, 1874.) and also that the necessary wagon crossings and stock guards must be constructed by said R.R.Company, and by them kept in repair.

(Signed) T. J. Drennan, (Seal)

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Witness:-

W. H. Bond.

Acknowledged (properly.) Aug. 24, 1874,

Before W. H. Bond, N. P.

Sonoma County.

Recorded August 21, 1875

Liber 52 of Deeds, page 220.

Thomas J. Drennan.

—TO—

E. Latapie.

MORTGAGE.

Dated May 13, 1876.

To secure payment of $505.00, gold coin of the United States, in 12 months after date, with interest thereon, at the rate of one and one quarter per cent per month, payable monthly, and if not so paid, to be added to the principal, and compounded monthly, bearing same rate as principal.

Covers the tract of 480 acres of land conveyed by John Cairns to Thomas J. Drennan, Liber 24 of Deeds, page 152; on page 159 of this Search.

Witness:- W. H. Bond.

Acknowledged May 13, 1876.

Before W. H. Bond, N. P.

Sonoma County.

Recorded May 13, 1876.

Liber 11 of Mortgages, page 51.

CANCELLED

On the Margin of the record of the above Mortgage, by E. Latapie.
Signed and acknowledged before me,
this 11th day of September, A.D. 1877.

O. H. Hoag, Co. Recorder.

Santa Rosa, Oct. 2. 1880.

F.G. Nagle. Searcher of Records.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

State and County Taxes.

Fiscal Years

1875-6, Paid.

1876-7, Paid.

. No Judgment Liens.

Santa Rosa, September Eighth, A.D. 1877, at 5 o'clock, P. M.

F. G. Nagle,

Searcher of Records.

CONTINUATION

Subsequent to September 8th, 1877.

Thomas J. Drennan.

—TO—

D. R. Fraser.

MORTGAGE.

Dated September 10, 1877.

To secure payment of $12,000.00 gold coin, in five years after date, with interest thereon at the rate of 10% per annum, payable semi-annually, and if not so paid, to be compounded, and if default be made in the payment of the interest, semi-annually, as above provided, then this note shall become immediately due, at the option of the holder thereof, as per a promissory note, of even date herewith.

Mortgages all that certain tract of land, commonly known as Drennan's Ranch, bounded on the West by the lands now, or at that time, owned by Nicholas Carrigher; on the North by the Creek called Mark West Creek; running up said Creek, in an Easterly direction, a distance of half a mile; thence South, and parallel with Carriger's land, and along the line of land owned by one Alonzo Meacham, about one mile and one half, to the Southern boundary line of the San Miguel Rancho: then along and with the Southern boundary line of said Rancho, in a Westerly direction, to the above named N.Carrigers land, containing about 480 acres of land, more or less.

Save and except, a certain 10 acre tract of land, sold by the party of the first part, previous to this time, bounded and described as follows, to wit:-

Beginning at a stake in the center of the County road leading from Fulton to Korbel's Mill, on the Eastern boundary line of Thomas J. Drennan's ranch; thence along said East line, in a Southerly direction, a distance of 40 rods; thence in a Westerly

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

"There is no day conveyance on record by Thomas J. Brennan of this tract of land. F. G. Nagle Nov. 26, 1884.

direction, at right angles, a distance of 40 rods; thence at right angles, in a Northerly direction, 40 rods, to the center of said County road; thence at right angles in an Easterly direction, along the line of the center of said road, to the place of beginning, containing 10 acres.

Acknowledged September 11, 1877.

Before D. D. Davisson, N. P.
Sonoma County.

Recorded September 11, 1877.

Liber 16 of Mortgages, page 32.

CANCELLED

On the Margin of the record of this Mortgage, as follows:

"I hereby acknowledge the full and entire satisfaction of this Mortgage, together with the debt thereby secured, and forever cancel and discharge the same of record.

D. R. Fraser.

Subscribed and sworn to, this 9th day of April, A.D.1881,
Before me, Ben S. Wood, County Recorder,
by J. E. Hall, Deputy."

Santa Rosa, Nov.26, 1884. F. G. Nagle, Searcher.

Thomas G. Drennan.

—TO—

Hiram Macy.

DEED.

Dated October 25, 1878

Cons:-$18,000.00.

Does grant, bargain, sell and convey unto second party &c, all that certain piece or parcel of land situate in Sonoma County, State of California, being a part of the San Miguel Rancho, and bounded and described as follows, to wit:-

Bounded on the West by the lands now, or at that time, owned by Nicholas Carrigher; on the North by the Creek called "Mark West Creek"; running up said Creek, in an Easterly direction, a distance of half a mile; thence South, and parallel with Carrigher's land, and along the line of land owned by one Alonzo Meacham, about one and one half miles, to the Southern boundary line of the "San Miguel Rancho"; thence along and with the Southern boundary line of aforesaid Rancho, in a Westerly direction__ the aforesaid Nicholas Carrigher's land , containing about 480 acres of land, more or less.

(Signed) T. G. Drennan, (Seal)

Witness:- D. D. Davisson.

Acknowledged (by Thomas J. Drennan,) October 25, 1878

Before D. D. Davisson, N. P.

Sonoma County.

Recorded October 31, 1878.

Liber 67 of Deeds, page 200.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Hiram Macy,

—TO—

D. R. Fraser.

CHATTEL MORTGAGE.

Dated July 31, 1879.

To secure payment of two promissory notes, dated respectively March 10, 1879, and July 31, 1879, the first for $600.°°, payable in six months after date, with interest thereon at 1 1/4 % per month, and the other for $300.°°, payable in 60 days after date, with interest at the rate of 1 1/2 % per month.

Mortgages all the growing crop of wheat now upon the farm of said Hiram Macy, purchased by him from T. J. Drennan, and known as the Drennan Farm, situated on Mark West Creek, in said Sonoma County &c.

Acknowledged July 31, 1879

Before A. D. Laughlin, N. P.

Sonoma County.

Recorded July 31, 1879

Liber B of Chattel Mortgages, page 338.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Hiram Macy.

DECLARATION OF HOMESTEAD.

Dated October 9, 1879.

Of the same premises described in Deed from Drennan to Macy, Liber 67 of Deeds, page 200: on page 189 of this Abstract.

Does not state the value of the property.

Witness:-

A. D. Laughlin.

Acknowledged October 9, 1879.

Before A. D. Laughlin, N. P.

Sonoma County.

Recorded October 9, 1879,

Liber D of Homesteads, page 468.

Superior Court in and for Sonoma County.

In the Matter of the Estate of Hiram Macy, Deceased.

Register No.1, page 107.
Case No.1086.

PROBATE PROCEEDINGS.

1880 June 14.	Petition of Eliza Macy and J. H. Macy, for appointment of J. H. Macy as Administrator, - Filed.
" "	Order appointing Monday, June 28th, 1880, for hearing said petition &c.
" 18th.	Proof of posting notices - Filed.
" 28th.	Order continuing hearing.
July 6th	" " "
" 12th.	" " " until Oct.4th, 1880.
Sept.6th.	" vacating continuance, entered.
" "	" that letters of administration of said estate issue to J. H. Macy, upon his taking the oath, and filing a bond, in the sum of $3800.00, Filed and Entered.
Oct.2nd.	The Petition of W. H. Cummings, of said San Francisco County, respectfully shows: That Hiram Macy died, on or about the __ day of

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1880

___, 1880, in the said County of Sonoma, State of California;

That said deceased, at the time of his death, was a resident of the said County of Sonoma, State of California;

That said deceased left estate in the County of Sonoma, State of California, consisting of personal property;

The only real estate being a homestead. carved out of community property;

That the value and character of said property, so far as known to your applicant, are as follows, to wit,

Personal property, enumerated, valued at $474.00;

That the estate does not exceed the value of $474;

That the next of kin of said deceased, and whom your petitioner__ are advised and believe, and therefore allege to be the heirs at law of said deceased,

__ Eliza Macy, wife of said deceased, aged 63 years, residing at Napa City, County of Napa, California;

J. H. Macy, son of deceased, aged 21 years, and Mary and Mattie Macy, aged respectively 19 and 24 years, daughters of deceased, all residing in the City of Napa, County of Napa, California;

That due search and inquiry have been made, to ascertain if said deceased left any Will and Testament, but none has been found, and, according to the best knowledge, information, and belief of your petitioner, said deceased died intestate;

That your petitioner is W. H. Cummings, of___ of said deceased, and therefore, as your petitioner are advised and believe_, entitled to letters of admin-

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1880

istration of said estate,

And your petitioner, Eliza Macy, joins in this petition for the appointment of the said W. H. Cummings.

Wherefore, your petitioner pray, that a day of Court may be appointed for hearing this application, that due notice thereof be given, by the Clerk of said Court, by posting notices, according to law, and that, upon said hearing, and the proofs to be adduced, letters of administration of said estate, may be issued to your petitioner:

That heretofore, on the 6th day of September, A.D.1880, J. H. Macy was duly appointed Administrator of said estate, and that letters were issued to hin:

That said J. H. Macy has failed to give bonds, as required by said Order,

Therefore, your petitioner asks, that the said W. H. Cummings be appointed Administrator.

(Signed) W. H. Cummings,

by E. L. Whipple.

Petitioner's Atty.

Filed.

Continued on page 209.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Eliza Macy.
Mary F. Macy.
John H. Macy, and
Mattie Macy.
—WITH—
Mrs. Martha A. Woolsey.

CONTRACT TO CONVEY.

Dated August 5, 1880.

Whereas Hiram Macy died, being intestate, left, as his relict. Eliza Macy and Martha J. Macy, John H. Macy, Mary F. Macy, his heirs, and the tract of land known as the Drennon Farm, on Mark West Creek, was, at the time of his death, the homestead, subject to a Mortgage of $12,000.00 principal, and back interest, which Mortgag__ is held by one Capt. Frazier, and

Whereas, the estate of the said Hiram did, is now under process of administration, and the said Eliza Macy has agreed to sell, as the relict of said Hiram Macy, the homestead interest in said farm, and the said heirs joining therein, so as fonn any interest they may have, to Mrs. M. A. Wolsey, subject to the Mortgage of the said Frazier, for $1500.00, Mrs. Macy payind commission of sale, and delivers possession thereof on October 1st, 1880: and

Whereas, it may be a date later than Oct.1st, 1880, that the Probate Proceedings will admit of perfect title being given, and the said Wolsey being desirous of obtaining possession of said place sooner than Oct.1st, 1880, and paying therefor, as soon as title can be given,

Now, It is agreed, that the said Wolsey deposit in escrow, the sum of $1500.00, with the Santa Rosa Bank at Santa Rosa, to be

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

drawn by Eliza Macy, or to her order, when a deed to said property, executed in due form of law, and conveying title to said property, free of all lien, excepting the mortgage before refered to, is ready for delivery, and it is agreed that when such deed is delivered to said Wolsey, which shall be at the earliest practicable time, said $1500.00 shall be so drawn, and not before,

And it is further agreed that in case possession is given to said Wolsey before the 1st of October, 1880,. then an amount of money equal to the amount of interest accumulating on the said Frazier Mortgage, from the date of possession to October 1st, 1880, shall be paid to the said Eliza Macy, in addition to the said $1500.00, before provided for, and deposited in the Bank, as aforesaid.

And the said Eliza Macy hereby authorizes the said Bank to pay, of this sum of $1500.00, $300.00 to Guy E. Gros, as his commission for making sale.

Dated August 5th, 1880.

Eliza Macy.
Mary F. Macy.
John H. Macy.
Mattie Macy.
E. W. Woolsey,
for Mrs. Martha A. Woolsey.

Witness:- Joseph McKinley.

Acknowledged (by John H.Macy only,) August 5, 1880.
Before F. G. Nagle, N. P.
Sonoma County.

Recorded August 14, 1880.
Liber C of Bonds and Agreements, page 471.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

State and County Taxes.

1877-8,	Paid.
1878-9,	Paid
1879-80,	Paid.

Santa Rosa, October Second, A. D. 1880, at five o'clock, P. M.

F. G. Nagle,

Searcher of Records.

CONTINUATION

Subsequent to October 2d, 1880.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Superior Court, in and for Sonoma County.

In the Matter of the Estate of Hiram Macy, deceased.

Reg.No.1, page 107.
Case No.1,086.

PROBATE PROCEEDINGS.

(Continued from page 195 of this Abstract.)

1880 Oct. 4.	Order appointing time, Filed and Entered.
Oct. 5.	Request of Eliza Macy, that W. H. Cummings be appointed Administrator, - Entered.
" 7.	Proof of posting notices filed.
" 19.	Order appointing W. H. Cummings Administrator, and that letters of administration issue to him, upon his taking the oath, and filing a bond of $3800.00. Filed and Entered.
Nov. 8.	Petition for appointment of D. R. Frazier, as Administrator, - Filed.

The petition of Eliza Macy, of Napa County, and David R. Frazier, of said Sonoma County, respectfully shows:

That Hiram Macy died, on or about the 27th day of May, 1880, in the said County of Sonoma, State of California;

1880

That said deceased, at the time of his death, was a resident of the County of Sonoma, State of California;

That said deceased left estate, in the said County of Sonoma, consisting of personal and real property: The real estate is mortgaged to the extent of its full value:

That the value and character of said personal property, so far as known to your applicant, are as follows, to wit:-

3 horses, value of $40.00 each; 1 cow, value $20; 2 plows, $5.00 each; about 6 doz chickens, value $4 per doz; household and kitchen furniture, value $250; 1 spring wagon, $50.00:

That the estate &c, do not exceed the value of $474.00:

That the next of kin of said deceased, and whom your petitioners are advised and believe, and therefore allege to be the heirs at law of said deceased, are your petitioner, Eliza Macy, wife of deceased, aged 63 years, residing at Napa City, County of Napa, California, J. H. Macy, son of deceased, aged 21 years, residing at Napa City, California, and Mary and Mattie Macy, aged respectively 19 and 24 years, residing at same place, daughters of deceased;

That due search and inquiry have been made, to ascertain if said deceased left any Will and Testament, but none has been found, and, according to the best knowledge &c, of your petitioner, said deceased died intestate;

That your petitioner, David R. Frazier, is a

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creditor of said deceased. and entitled to letters of administration of said estate, and your petitioner Eliza Macy, joins in this petition for the appointment of said David R. Frazier;

And your petitioners further say. that heretofore, on the 19th Oct. 1880. W. H. Cummings was duly appointed Administrator of said estate, and that letters were, by Superior Court of said County, directed to be issued to said W. H. Cummings. upon his taking the oath, and filing his bond:

That petitioners believe that said Cummings will not qualify as such Administrator, and that he has failed to give the bonds as required by order of this Court;

Pray that a day of Court may be appointed for hearing this application; that due notice thereof be given by the Clerk of said Court, by posting notices, according to law, and that, upon said hearing, and the proofs to be adduced, letters of administration of said estate may be issued to your petitioner, David R. Frazier, and that letters to W.H. Cummings be revoked.

Dated ___, 188__.

(Signed) Eliza Macy,

Napa City, Nov.5th. 1880.

David R. Frazier,

by Porter & Rutledge, his Attys.

Nov. 8.

On reading and filing the petition of David R. Frazier, praying for letters of administration upon the estate of said deceased, It is ordered that Monday,

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1880	Nov.22nd. 1880, at 10 o'clock A.M. and the Court room of this Court, in the City of Santa Rosa, be. and the same is hereby fixed as the time and place for hearing said petition, and further ordered, that the Clerk of this Court give due notice thereof, by posting notices, according to law. Filed and Entered, Mins.No.1, page 430.
Nov.10.	Notices posted, and proof made and filed, as follows. State of California, | In the Superior Court. County of Sonoma. | A. E. Shattuck, Deputy County Clerk of the County aforesaid, being duly sworn, says. That on the 10th day of Nov. A.D.1880, he posted three notices, of which the within is a true copy, in three different public places in the County of Sonoma, one of which was the place at which the Court is held. A. E. Shattuck. Subscribed and sworn to, before me, this 10th day of Nov. 1880, by James Anderson, Dep. Clerk. On the reverse side of the foregoing affidavit, is the following written and printed notice, (Title of Court.) Notice is hereby given, that David R. Frazier, having filed in this Court his petition, praying for letters of administration of the estate of Hiram Macy, deceased, the hearing of the same has been fixed by said Court, for the 22nd day of Nov.1880, at 10 o'clock A.M. of said day, at the Court room thereof, in the City of Santa Rosa, County of Sonoma,

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1880	and all persons interested in said estate,are notified then and there to appear, and show cause, if any they have, why the said petition should not be granted. Santa Rosa,Nov.10, 1880. R. A. Thompson, Clerk, by A. E. Shattuck, Deputy Clerk.
Nov.22.	Order appointing Administrator, Filed and Entered.Min's.No.1,page 446, as follows, (Title of Court and Cause.) The Petition of David R. Frazier, praying for letters of administration of the estate of Hiram Macy, deceased, coming on regularly this day to be heard, and the matter having been submitted for decision, and due proof having been made, to the satisfaction of this Court, that the Clerk had given notice, according to law, and it duly appearing to the satisfaction of the Court, that the said Hiram Macy died, on the 27th day of May, 1880, intestate, in the County of Sonoma, California; that he was a resident of said County at the time of his death, and that he has left estate in the said County of Sonoma, and within the jurisdiction of this Court, and Eliza Macy, widow of said deceased, having joined in the petition for appointment of said David R. Frazier, Admr., and it appearing that W.H.Cummings, heretofore appointed Admr. has failed to give bonds, and qualify, and that J. H. Macy, heretofore appointed Admr. has failed to give bonds and to qual-

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1880	ify as Admr, It is ordered, that letters of administration of the estate of the said Hiram Macy, deceased, issued to the said petitioner, David R. Frazier, upon his taking the oath, and filing a bond, according to law, in the sum of $3800.00. And it is ordered that order for letters, to said W. H. Cummings, and order for letters to said J. H. Macy, be, and the same are hereby revoked. Dated Nov.22, 1880. Jno. G. Pressley. Superior Judge.
Nov. 24.	Bond of David R. Fraser, as Admr., in the sum of $3800.00, approved Nov.24, 1880, by Jno.G.Pressley, Superior Judge, Filed and Recorded, Book C of Bonds, page 502.
" "	Letters of Administration issued to David R.Fraser, and with oath of Administrator annexed, Filed and Recorded, Book B of Letters of Administration, page 144.
Nov.26.	Order that Notice to Creditors be given, by publication in the Santa Rosa Republican, a newspaper printed and published in the City of Santa Rosa, County of Sonoma, State of California, at least once a week, for four weeks, and that said Administrator give notice to all creditors &c, to present their claims, within ten months from the first publication of said notice, - Filed.

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1880	(Endorsed) Filed Nunc pro tunc Nov.26, 1880, by order of court, this 2d day of April, 1881.
1881 Jany.7.	Claim of D. R. Fraser, for $93.62, on promissory note, allowed by Superior Judge, - Filed.
" 8.	Order appointing Henry Wise, J. A. Lawrence, and John Adams, Appraisers of said estate, Entered.Mins.No.1, page 531.
" "	Inventory and appraisement, signed by the appraisers and verified by the Administrator, - Filed. Moneys, $29.00. 480 acres land, known as the Drennan Ranch, bounded on the West by the lands known, or at that time owned by Nicholas Carriger:on the North by the Creek called Mark West Creek; running up said Creek, in an Easterly direction, a distance of half a mile:thence South, and parallel with said Carriger's land, and along the line of land owned by one Alonzo Meacham, about one and one half miles, to the Southern boundary line of the San Miguel Ranch; thence along and with the Southerly boundary line of said Rancho, in a Westerly direction, to the above named Carriger's land, situated in Sonoma County,$15,500.00. Personal property (enumerated,) $ 79.75. Total. $15,608.75. The estate mentioned in the foregoing inventory,

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1881	is community property. The oath of the appraisers is attached to the inventory.
Jany.17.	The Petition of D. R. Fraser, the Administrator of the estate of Hiram Macy, deceased, for order of sale of real estate, - Filed. Recites that said Hiram Macy died.testate, on or about May 27, 1880, in the said County of Sonoma,at the time of his death, a resident of said County, and leaving estate in said County: That on November 24, 1880, petitioner duly qualified as such Administrator, and that letters of administration were issued to him, and have not been revoked: That petitioner made and returned to said Court on January 8th. 1881, a true inventory &c.of the Estate of said deceased, all of which will more fully appear by reference to the papers on file in the Clerk's Office, and to the records of said Court,in the matter of said estate, which is hereby made: That the amount of cash received by petitioner, is $29.00. Other personal property,as per inventory. $79.75. $108.75. That no part of said personal property has been disposed of, and is wholly insufficient to paid the debts and liens against said estate: That the debts outstanding against the said deceased, as far as can be ascertained or estimated, amount, at this date, to the sum of $293.62:and are

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fully set forth in the Schedule marked "A",hereunto annexed, and made a part of this petition:

That the amount due upon the family allowance,is the sum of $----:

That the debts, expenses, taxes,and charges of the administration,already accrued, amount to the sum of $---, and are fully set forth in the Schedule marked "B", hereunto annexed, and made a part of this petition:

That the debts, expenses and charges of administration that will or may accrue,during the administration, are estimated by your petitioner. at the sum of $150.00, and are set forth in the Schedule marked "C", hereunto annexed, and made a part of this petition:

Whole amount of the debts outstanding against the deceased, of the amount due, and to become due,upon the family allowance, of the debts, expenses and charges of administration, already accrued,and remaining unpaid, State and County Taxes, and of the estimated debts, expenses and charges of administration that will or may accrue, $____:

That a full description of all the real estate of which the said decedent died seized, or in which he had any interest, or in which the said estate has acquired any interest, and the condition and value of the said real estate.are set forth in the Schedule marked "D", hereunto annexed,and made a part of this petition:

That the whole of said real estate was acquired by said deceased during his marriage to Eliza Macy,

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his widow, and is therefore, community property:

That said real estate is mortgaged, for the sum of $12,000.00. with interest at the rate of 10% per annum, from the 10 day of March, 1878;

That the following are the names and ages of the heirs of the said deceased. to wit:-

Eliza Macy, widow, 60 years of age: John H. Macy, his son, 22 years of age: Mattie Macy, daughter, aged 25 years, and Mary Macy, daughter, 19 years of age:

Petitioner therefore alleges, that the personal estate in the hands of your petitioner, is insufficient to pay the allowance to the family, the debts outstanding against the deceased, and the debts, expenses and charges of administration, and that it is necessary to sell the whole, or some portion of the real estate, for such purpose:

And your petitioner further shows that the real estate, of which the said Hiram Macy __, to wit, a tract of land lying and being situated in the said County of Sonoma, known as the "Drennan Ranch", and bounded as follows:-

On the West by lands heretofore owned by Nicholas Carriger; on the North by the Creek called Mark West Creek; running up said Creek, in an Easterly direction, a distance of one half mile: thence South, and parallel with the said land of Carriger, and along the line of land owned by one Alonzo Meacham, about one and one half mile, to the Southern boundary line of the San Miguel Rancho: thence along and with the Southern boundary line of the said San Miguel Rancho, in a Westerly direction, to the above

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named Nicholas Carrigan land, And being a part of the said San Miguel Rancho, and containing about 480 acres of land, more or less, and being the same tract of land conveyed by John Cairns to Thomas J. Drennan, by Deed dated June 30, 1868, and recorded in Liber 24 of Deeds, page 152, Sonoma County Records, and conveyed by the said Thomas J.Drennan to the said Hiram Macy, by Deed dated October 25th,1878, and recorded in Liber 67 of Deeds, page 200, in Sonoma County Records, which Deeds are referred to. for a description.

That said described real estate is subject to a Mortgage, to secure the payment of a promissory note. made by the said Thomas J. Drennan. September 10.1877 for $12,000.00, and interest thereon at the rate of 10% per annum, payable semi-annually, and if not so paid, to be compounded, and principal and interest due in five years after date, and dated September 10, 1877:

That in default of the payment of interest, the whole principal should become due and payable,payable to your petitioner, D. R. Fraser:

That there is now over $2400.00 interest,due and unpaid:

That the said Thomas J. Drennan, whilst the owner and in possession of said described tract of land, and on the said 10th day of September, 1877, made and delivered to your petitioner, a Mortgage thereon, to secure the payment of said promissory note and interest, and also provided to pay your petitioner

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all taxes paid by your petitioner on said land, with 10% interest per annum, together with reasonable counsel fee, in case of foreclosure, and costs of foreclosure and sale, and which Mortgage was duly acknowledged, and afterwards, to wit, on the 11th day of September, 1877, recorded in Liber 16 of Mortgages, page 32, Sonoma County Records:

That, as a part of the purchase price of said land, the said Hiram Macy, deceased, agreed to pay off said note and Mortgage, and purchase the same, with actual notice thereof:

That there is now due and unpaid, on said note and mortgage, the whole principal and interest thereof, from the 10 day of January, 1878: and your petitioner also paid taxes on said premises, as follows,

March 1, 1880, Tax of 1879, $200.21.

Dec.22, 1880, Tax of 1880, $198.00:

And your petitioner further shows that all of the heirs of said Hiram Macy, deceased, together with the widow, have contracted to sell, and have sold, to one Mrs. Martha A. Woolsey, all their interest in said estate, by writing dated August 5th, 1880, duly acknowledged, and afterwards recorded in Liber C of Bonds and Agreements, on the 14th day of August, 1880, at page 471, and the said heirs and widow thereby agreed to convey, an absolute title, in fee, free of all incumbrance, and the said Mrs. Woolsey agreed to pay for said land, the said Mortgage, note and interest, and, in addition thereto, the sum of $1500.00, upon receipt of a Deed, conveying to her,

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said land, in fee, clear of all incumbrances and liens.

That the price agreed upon, is a full and just value, and much more than the place can be sold for at Administrator's sale, and will leave a balance more than enough to pay off all the debts of said estate, together with costs of administration:

That said real estate will not lease for sufficient to pay the interest on said debt,and taxes;

That it is farming land, a part under cultivation,

Wherefore, your petitioner prays, that an order be made by said Court, directing all persons interested in said estate, to appear before said Court, at a time and place specified, not less than four, nor more than ten weeks from the time of making such order, to show cause why an order should not be granted to your petitioner, to sell so much of the real estate of the deceased as shall be necessary, and that, after a full hearing of this petition,and examination of the proofs and allegations of the parties interested, and due proof of the publication of a copy of said order to show cause, etc, an order of sale be made, authorizing your petitioner to sell, at private sale, so much, and such parts of the said real estate, as said court shall judge necessary or beneficial; or that such order, or further order be made, as is meet in the premises,

And your petitioner will ever pray, etc.

R. D. Fraser,Administrator.

Dated Jan.10, 1881.

Verified on Janry.10, 1881,

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1881	Before R. A. Thompson, Clerk. By James Anderson, Dep. Clerk.
Jany.17.	It appearing to this Court, from the petition this day presented and filed, by D.R.Fraser, the Administrator of the Estate of Hiram Macy, deceased, praying for an order of sale of certain real estate belonging to said deceased, that it is necessary, to pay debts; that such real estate should be sold, It is hereby ordered, that the next of kin of the said deceased, and all persons interested in the said estate, appear before this Court on Monday, the 21st day of February, A.D.1880, at ten o'clock A.M. at the Court room of this Court, at the City of Santa Rosa, in the said County of Sonoma, then and there to show cause why an order should not be granted for the sale of such estate. And it is further ordered, that a copy of this order be published, at least four successive weeks, before the said day of hearing, in the Santa Rosa Republican, a newspaper printed and published in said County of Sonoma. Dated Jan.17, 1881. J. Temple, Superior Judge. Filed and Entered, Mins B, page 542.
Feby. 14.	Petition for order to sell personal property, Filed.
" 17.	Order fixing Feby.24th, 1881, for hearing said petition &c, Filed and Entered.

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1881	Acceptance of notice filed.
Feby. 17.	"I, John Macy, son of Hiram Macy, deceased, hereby admit due and sufficient service of notice, of which the annexed is a copy, this 10th day of Feby.1881, and join in the prayer of the Administrator.for an order of sale of the real estate of said deceased. John H. Macy." (Annexed to the above acceptance is a printed copy of the notice to show cause, on petition for sale of real estate, made on January 17th. 1881, except that the date for hearing said petition is given on Monday,February 21st, 1881.
" "	Acceptance of notice filed, as follows, "We hereby admit due and sufficient service of the notice, of which the annexed is a copy, this 8th day of February, 1881, and consent that the order of sale be made by the Court. Eliza Macy, widow of deceased. Martha J. Macy. Mary F. Macy." (Attached to the above, is a printed copy of the same notice as in the preceding acceptance.)
" 18.	Proof of posting notices of petition for sale of personal property, filed.

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1881 Feby. 18.	Order of sale of personal property, Filed and Entered, B, 596.
" 25.	Proof of publication of notice to show cause, on sale of real estate, - Filed. "State of California, } SS County of Sonoma. } J. B. Armstrong, of said County, being duly sworn, deposes and says, That he is a white male citizen of the United States of America, over twenty-one years of age, and is competent to be a witness in the matter herein mentioned: That he is the publisher of the Santa Rosa Republican, a newspaper published weekly in said County, and has charge of all advertisements for insertion in said newspaper, and that the notice, of which the annexed is a printed copy, has been published in said newspaper, once a week, for five successive weeks, namely, From Janry.20, A.D.1881, to Feb.17, A.D.188-, both days inclusive. J. B. Armstrong. Subscribed and sworn to, before me, } this 25th day of Feb. A.D.1881. } A. E. Shattuck, Deputy Clerk." Annexed to the above affidavit, is a printed copy of the notice, same as in the preceding acceptances.
Feby. 25.	Order of Sale of real estate, Filed and Entered, Mins. B, page 594.

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(Title of Court and Cause.)

D. R. Fraser, Administrator of the Estate of Hiram Macy, deceased, having, on January 17th, 1881, presented to this Superior Court, and filed herein, his petition, in due form, verified by his oath, praying for an order authorizing him to sell so much and such parts of the real estate of deceased as shall be necessary and beneficial for the purposes therein contained, viz, To pay the debts and liens against said estate, the personal property of said estate being wholly insufficient therefor;

Said matter coming on regularly to be heard, this 25th day of February, A.D.1881, to which day, the hearing thereof was adjourned; and, upon due proof, to the satisfaction of the Court, of the due publication of a copy of said order to show cause, as required by law, and the order of this Court, at least four successive weeks before the day appointed for the hearing of said petition,

And it appearing to the Court, that Eliza Macy, the widow of deceased, and John H. Macy, Martha J. Macy, and Mary F Macy, children of deceased, admitted in writing, filed in this Court, service of a copy of said order, on them, personally, at least ten days before the time appointed for the hearing of said petition, and did also, by said writing, herein filed, join in the prayer of the Administrator for the sale of said real estate, and did therein consent that the order of sale of the real estate, belonging to the said estate, be made by this Court,

And it appearing that said persons, so consenting,

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are of legal age, and are the only next of kin of decedent, and the only persons entitled to said estate:

And all and singular, the law and the premises being, by the Court here, seen, heard, understood and fully considered,

Whereupon, it is by the Court here ordered, adjudged and decreed that said D. R. Fraser, Administrator of the estate of Hiram Macy, deceased, be, and he is hereby authorized to sell, either in one parcel, or in subdivisions, as the said Administrator shall judge most beneficial to said estate, the following real estate belonging to said estate, at private sale, pursuant to the prayer of his petition herein, upon the following terms, to wit, for cash, gold coin of the United States:

And it is further ordered, that before making such sale, the said Administrator execute an additional bond to the State of California, with two or more sufficient sureties, in the penal sum of Fifteen thousand Dollars, conditioned that the said Administrator shall faithfully execute the duties of the trust, according to law.

The following is the real estate hereby authorized to be sold, being situated in said County of Sonoma, State of California, and bounded and described as follows, to wit:-

A tract of land known as the "Drennan Ranch", and bounded as follows:-

On the West by lands heretofore owned by Nicholas

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1881	Carriger: on the North by the Creek called Mark West Creek: running up said Creek, in an Easterly direction, a distance of one half mile: thence South and parallel with the said land of Carriger, and along the line of land owned by one Alonzo Meacham, about one and one half miles, to the Southern boundary line of the San Miguel Rancho: thence along and with the Southern boundary line of the said San Miguel Rancho, in a Westerly direction, to the above named Nicholas Carriger's land: And being a part of the said San Miguel Rancho, and containing about 480 acres of land, more or less, And being the same tract of land conveyed by John Cairns to Thomas J. Drennan, by Deed dated June 30th, 1868, and recorded in Liber 24 of Deeds, page 152, Sonoma County Records And conveyed by said Thomas J. Drennan to the said Hiram Macy, by Deed dated October 25th, 1878, and recorded in Liber 67 of Deeds, page 200, in Sonoma County Records. Done in open Court, this 25th day of February, A.D. 1881. Jno. G. Pressley, Sup. Judge.
Mch. 4.	Bond of D. R. Fraser, in sum of $15,000.00, approved March 1, 1881, by Jno. G. Pressley, Superior Judge. Filed.
Mch. 22.	Proof of publication of notice of sale of real estate filed, as follows,

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"State of California, } SS
County of Sonoma. }

J. B. Armstrong, of said County, being duly sworn, deposes and says, that he is a white male citizen of the United States of America, over twenty one years of age, and is competent to be a witness in the matter herein mentioned:

That he is the manager of "The Santa Rosa Republican", a newspaper published weekly in said County, and has charge of all advertisements for insertion in said newspaper, and that the notice, of which the annexed is a printed copy, has been published in said newspaper, once a week, for three successive weeks, namely, From March 3, A.D.1881, to Mch.17, A.D.1881, which was the last issue of said paper previous to March 22nd, 1881, both days inclusive.

J. B. Armstrong.

Subscribed and sworn to, before me, }
this 22 day of March, A.D.1881. }

R. A. Thompson, County Clerk."

Annexed to the above affidavit, is a printed "Notice of Administrator's Sale of Real estate at Private Sale", giving the name of the estate, the time of sale ("on or after Tuesday March 22,1881") a description (same as in order of sale) of the real estate to be sold: Terms and conditions of sale (cash in Gold Coin of the United States,) and the places at which bids must be made in writing.

Mch. 23. Return and Account of Sale of real estate, and Petition for order confirming sale, - Filed.

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(Title of Court and Cause.)

D. R. Fraser, the Administrator of the Estate of Hiram Macy, deceased, respectfully makes the following return of his proceedings under the order of this Court dated on the 25th day of February, A. D. 1881, authorizing said Administrator to sell certain real estate at private sale, and reports as follows, to wit:-

That in pursuance of said Order of Sale, he caused notice of the time and place of holding and making such sale, to be posted up in three of the most public places in said Sonoma County, in which the land ordered to be sold is situated, and to be published in Santa Rosa Republican, a newspaper printed and published in said Sonoma County, for two (2) weeks successively next before the day on or after which said sale is to be made, in which notice the lands and tenements to be sold were described with common certainty; all of which will also and more fully appear by the affidavits marked respectively "A" and "B", hereunto annexed, and made a part of this return:

That said first publication was made March 3rd, 1881, and last publication, March 17, 1881, which last publication was last issue of said paper, previous to sale:

That after the publication of said notice, and before the day for making the sale, to wit, on the 17th day of March, 1881, Mrs. Martha A. Woolsey bid and offered, in writing, and delivered said offer to said Administrator, to purchase the whole of said

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real estate,for $15,500.00 in gold coin, said written offer is hereunto annexed, and made a part of this return, marked Exhibit "C":

That no other bid or offer has been made for said real estate:

That said Administrator caused said land to be sold in one parcel, judging it most beneficial to said estate:

That on Tuesday, March 22nd, 1881, the day appointed for said sale by said notice of said Administrator, he, the said Administrator, sold, for cash gold coin, and subject to confirmation by this Court, to the said Mrs Martha A. Woolsey, according to the manner of her said bid, herewith filed, and made a part of this return, for the sum of $15,500.00,the real estate described in said order of sale, and in said notice, which real estate is described as follows, in subjoined notice, and the following is the published notice of said sale,

(Here follows a printed notice, same as attached to the proof of publication of notice of sale,filed Mch.22, 1881.)

That said Martha A. Woolsey, the purchaser of said real estate, which purchase was for said $15,500.00, was the highest and best bidder:

That said sum was the highest and best sum bid:

That the said sale was legally and fairly conducted: That, as said Administrator believes,the sum bid is not disproportionate to the value of the property sold, and that a sum exceeding such bid, at least

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10%, exclusive of the expenses of a new sale, cannot be obtained; and that, before making such sale, to wit, on Feby. 26, 1881, said Administrator, as required in and by said order of sale, duly executed an additional bond, to the State of California, with sufficient sureties, duly approved, to wit, on the 1st day of March, A.D. 1881, by the Judge of this Court, in the penal sum of $15,000.00, conditioned that the said Administrator should faithfully execute the duties of his trust, according to law:

Wherefore, said Administrator prays this Honorable Court, to make an order confirming the said sale, and directing conveyances to be executed to the said purchaser, conveying all the right, title, interest and estate of said intestate, in the said premises, at the time of his death, and all the right, title and interest of said estate in the same, or that such other, or further order may be made, as is meet in the premises, and that this Court fix a day for such hearing,

And your petitioner will ever pray &c.

(Signed) D. R. Fraser,
Administrator of the Estate of
Hiram Macy, deceased.

Dated March 23rd, 1881.

Verified March 23, 1881.

Before R. A. Thompson, Clerk.
by Geo. A. Thornton, Dep. Clerk.

Exhibit "A".

Is the proof of publication of notice of sale of real estate, filed Mch. 22, 1881.

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Exhibit "B",

"State of California, |

County of Sonoma. |

Wm. W. Porter, being duly sworn, deposes and says, that he is over twenty-one years of age, and not interested in the estate of Hiram Macy, deceased: That on the 3rd day of March, 1881, he posted true, full and correct copies of the annexed notice and place of holding the sale of real estate, ordered by this Court, in the matter of said estate, in three of the most public places in the said Sonoma County, which was two weeks and more, next before day of sale appointed in said notice.

Wm. W. Porter.

Subscribed and sworn to before me, |

this 23 day of March, A.D.1881. |

Geo. A. Thornton, Dep.Clerk."

Affixed to the above affidavit is a printed copy of the same notice as attached to the proof of publication filed March 22, 1881.

Exhibit "C",

Is the written bid of Martha A. Woolsey, offering $15,500.00, for the real estate as described in the notice of sale.

1881

Mch.23. Ordered that Monday, April 4th, 1881, at ten o'clock A.M. at the Court room of this Court, be, and the same is hereby affixed for the hearing upon said return, and that notice of at least ten days, be given thereof, by the Clerk of this Court, by notices posted in three public places in Sonoma County, Cal-

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1881

ifornia, and that said notices briefly indicate the land sold, and the sum for which it was sold, and refer to the return for further particulars.

Filed and Entered, B-638.

Mch. 24.

Proof of posting notices filed, as follows.

(Title of Court and Cause.)

Pursuant to an order of said Court, made on the 23rd day of March, 1881, notice is hereby given, that D. R. Fraser, Administrator of said deceased, made to the said Court, and filed in the office of the Clerk thereof, on said day, a return of sale, made by him, on the 22nd day of March, 1881, under a previous order of sale Court, of the following real estate, and for the following sum, to wit, For the sum of $15,500.00 gold coin, and the following is a description of the real estate sold, to wit,

(Here follows printed copy of the description, as in the Notice of sale, filed March 22, 1881.)

As will more fully appear from said return, filed as aforesaid, and to which reference is hereby made for further particulars.

And Notice is hereby further given, that Monday, the 4th day of April, 1881, at ten o'clock A.M., at the Court room of said Court, at the City of Santa Rosa, in said County of Sonoma, has been fixed for hearing the said return, when and where any persons interested in the said estate, may appear and file written objections to the confirmation of the said sale, and may be heard, and may produce witness, in

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

1881 support of his objections.

R. A. Thompson, Clerk.

By Geo. A. Thornton, Deputy Clerk.

Dated March 24th, 1881.

State of California, } SS
County of Sonoma. }

Affidavit of posting foregoing notice.

Geo. A. Thornton, of said County, being duly sworn, says, That he is over the age of eighteen years, and not interested in the estate of Hiram Macy, deceased, and is not a party thereto: That on the 24 day of March, 1881, he posted correct and true copies of the foregoing notice, in three of the most public places in said County, to wit, one of the said copies at the place at which the Court is held; one at ___; and one at ___, in said ___ County.

Geo.A. Thornton.

Subscribed and sworn to before me, }
this 24 day of March, A.D.1881, }

By James Anderson, Deputy Clerk.

Mch.30. Return and account of sales of personal property,

Filed.

Amount realized, $80.00.

April 4. Order confirming sale of personal property,

Filed and Entered.

" " Order Confirming sale of real estate,

Filed and Entered,B, page 659.

(See Certified Copy, Book C of Probate Orders, page 390; on page 263 of this Abstract.)

1881 April 15.	Proof of publication of notice to creditors, Filed.
Oct. 4.	Claims of D. R. Fraser for $82.00, and of P.Bruner, for $10.43, allowed by Jno. G. Pressley,Judge,Filed.
" 4.	Proof of publication of notice to creditors,in the Santa Rosa Republican, for four successive weeks, namely, Dec.2, Dec.9, Dec.16, A.D.1880, and Dec.23, A.D.1880 inclusive, - Filed.
" 4.	Decree of due publication of notice to creditors, Filed and Entered,Mins.No.2-236.
" "	Final account of Administrator, - Filed.
" 24.	Decree allowing and settling final account,and distributing residue of estate ($733.07, in coin) Filed and Entered.
Nov.7.	Final Discharge of Administrator, Filed and Entered.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

In the Superior Court in and for Sonoma County, State of California.

In the Matter of the Estate
of
Hiram Macy, Deceased.

CONFIRMATION OF SALE.

Dated April 4, 1881

D. R. Fraser, Administrator of the Estate of Hiram Macy, deceased, having made to this Court, and filed in the office of the Clerk thereof, a return of his proceedings, under the order of sale herein, and said matter coming on, regularly, to be heard: and it duly appearing to the Court, that in pursuance of said order of sale, and as ordered by the Court, said Administrator caused notice of the time and place of holding said sale, to be posted up in three of the most public places in the County of Sonoma, in which the land ordered to be sold, is situated, and to be published in the Santa Rosa Republican, a newspaper printed and published in the same County, for two weeks successively next before such sale, being three weeks publication next before such sale, in which order of sale and notice, the lands and tenements to be sold, were described with common certainty as follows, to wit:-

All that certain lot, piece or parcel of land situate, lying and being in the County of Sonoma, State of California, and bounded and described as follows, to wit:-

A tract of land known as the "Drennan Ranch", and bounded on the West by lands heretofore owned by Nicholas Carriger: on the North by the Creek called Mark West Creek; running up said Creek

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

in an Easterly direction, a distance of one half a mile: thence South, and parallel with the said land of Carriger, and along the line of land owned by one Alonzo Meachem, about one and one half miles, to the Southern boundary line of the San Miguel Rancho: thence along and with the Southern boundary line of the said San Miguel Rancho, in a Westerly direction, to the above named Nicholas Carriger's land; and being a part of the said San Miguel Rancho, and containing about 480 acres of land, more or less.

And being the same tract of land conveyed by John Cairns to Thomas J. Drennan, by Deed dated June 30, 1868, and recorded in Liber 24 of Deeds, page 152, Sonoma County Records, and conveyed by said Thomas J. Drennan to the said Hiram Macy, by Deed dated October 25, 1878, and recorded in Liber 67 of Deeds,page 200,in Sonoma County Records:

That at the time and place of holding such sale, specified in said notices, to wit, on Tuesday, 22nd day of March, A.D.1881, the day on or after which said sale would be made. he, the Administrator, sold in one parcel (judging it most beneficial to said estate, at private sale, in pursuance to said order of sale, to Martha A. Woolsey, she being the highest bidder, for $15,500. that being the highest sum bid, the above described real estate, described in said order of sale, and in said notice:

That said sale was legally made and fairly conducted:

That the sum bid is not disproportionate to the value of the property sold,and that a sum exceeding such bid at least 10%, exclusive of the expenses of a new sale, cannot be obtained:

That the sum bid and offered, is at least 90% of the appraised value of said real estate, and that such real estate has been appraised within one year of the time of such sale, and that.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

before making such sale, said Administrator duly executed an additional bond, as required in said order of sale:

That there is a mortgage debt and lien on said premises, to the amount of $14,000.00, which said Mortgage was made and delivered by Thomas J. Drennan to D. R. Fraser, on the 10th Sept. 1877, and recorded in Liber 16 of Mortgages, page 32, Sonoma County Records:

That said amount of $14.000.00 is due the said Mortgagee D.R. Fraser;

That said Thomas J. Drennan conveyed said real estate to the said Hiram Macy, deceased, by Deed dated October 25, 1878, and recorded in Liber 67 of Deeds, page 200, in Sonoma County Records, and that said conveyance to said Hiram Macy, deceased, was made subject to said Mortgage lien;

And all and singular, the law and the premises being, by the Court here seen, heard, understood, and fully considered,

Wherefore, it is by the Court here ordered. adjudged and decreed, that the said sale be, and the same is hereby confirmed and approved, and the proper and legal conveyances of all said real estate are hereby directed to be executed to said purchaser by said Administrator, and that he pay off and discharge said Mortgage debt, and cause said Mortgage to be cancelled and satisfied.

Done in open Court, this 4th day of April, 1881.

J. Temple.

Superior Judge.

Certified to be a true copy, April 6, 1881, by R.A. Thompson, County Clerk &c, of Sonoma County by James Anderson, Deputy Clerk.

Recorded April 9, 1881,

Book C of Probate Orders, page 390.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

David R. Fraser.
Administrator of Hiram Macy,
deceased,
—TO—
Mrs. Martha A. Woolsey.

DEED.

Dated April 9, 1881.

Cons:-$15,500.00

Whereas, on February 25th, A.D.1881, the Superior Court within and for the County of Sonoma, State of California, made an order of sale, authorizing the said party of the first patt, to sell certain real estate of the said Hiram Macy, deceased, situated in said Sonoma County, at private sale, either in one parcel, or in subdivisions, as the said Administrator should judge most beneficial to said estate, which said land is specified and particularly described in said order of sale, and which said order of sale, now on file and of record in the said Superior Court, is hereby referred to, and made a part of this Indenture:

And Whereas, under and by virtue of said order of sale, and pursuant to legal notices given thereof, which notices stated and set forth that the Administrator would sell said real estate at private sale, to the highest bidder for cash in gold coin, and subject to confirmation of said Superior Court, on or after Tuesday, March 22nd, A.D.1881, all of said real estate, judging it most beneficial to said estate:

And Whereas, on said Tuesday, 22nd day of March, A.D.1881, the day appointed in said notice, on or after which e sale of said property would be made, a sale was made thereof, and the said party of the second part became the purchaser of the whole of

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

said real estate, situated in said Sonoma County, and hereinafter more particularly described, for the sum of $15,500.00,in gold coin,she being the highest and best bidder, and that being the highest and best sum bid;

And Whereas, the said Superior Court, upon the due and legal return of his proceedings under the said order of sale,made by the said party of the first part,on March 23, 1881,after making the said sale, did, on April 4th, 1881, make an order confirming said sale, and directing conveyances to be executed to the said party of the second part, a certified copy of which order of confirmation was recorded in the office of the County Recorder of said Sonoma County, within which the said land sold is situated, on April 9th, 1881, and which said order of confirmation, now on file and of record in said Superior Court, and which said record thereof in said Recorder's Office, are hereby referred to, and made a part of this Indenture:

Now, Therefore, the said David R.Fraser, Administrator of the estate of said Hiram Macy, deceased, as aforesaid, the party of the first part, pursuant to the order last aforesaid, of the said Superior Court, for and in consideration of the said sum of $15,500.00, to him in hand paid by the said party of the second part, receipt whereof is hereby acknowledged, hath granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns forever, all the right, title,interest and estate of the said Hiram Macy, deceased, at the time of his death, and also all the right, title and interest that the said estate, by operation of law,or otherwise, may have acquired, other than, or in addition to that of said intestate,at the time of his death, in and to all that certain lot or parcel of land situate, lying and being in said County of Sonoma, State of Cal-

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

ifornia, and bounded and particularly described as follows, to wit,

A tract of land known as the "Drennan Ranch", and bounded on the West by lands heretofore owned by Nicholas Carriger: on the North by the Creek called Mark West Creek; running up said Creek, in an Easterly direction, a distance of one half a mile; thence South, and parallel with the said land of Carriger, and along the line of land now or formerly owned by one Alonzo Meacham, about one and one half miles, to the Southern boundary line of the San Miguel Rancho; thence along and with the Southern boundary line of the said San Miguel Rancho, in a Westerly direction, to the above named Nicholas Carriger's land, And being a part of the said San Miguel Rancho, and containing about 480 acres of land, more or less, And being the same tract of land conveyed by John Cairns to Thomas J. Drennan, by Deed dated June 30, 1868, and recorded in Liber 24 of Deeds, page page 152, Sonoma County Records, and conveyed by said Thomas J. Drennan to the said Hiram Macy, by Deed dated October 25, 1878, and recorded in Liber 67 of Deeds, page 200, in Sonoma County Records.

Together with &c.

(Signed) D. R. Fraser.

Administrator of Estate of Hiram Macy, deceased.

(No seal, - refers to seal)

Acknowledged (properly.) April 9, 1881,

Before Jno. T. Campbell. N. P.

Sonoma County.

Recorded April 9, 1881,

Liber 74 of Deeds, page 409.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Eliza Macy.
widow of Hiram Macy, deceased,
and
Martha J. Macy,
Mary F. Macy and
John H. Macy,
children of said Hiram and Eliza Macy,
all heirs of Hiram Macy, deceased.
—TO —
Mrs. Martha A. Woolsey

DEED.

Dated Aug. 21, 1880.

Cons:-$15,500.00.

Do grant, bargain sell &c, unto the said party of the second part, and to her heirs and assigns forever, all that certain lot and parcel of land, part of the Rancho San Miguel, situate in the Township of Santa Rosa, County of Sonoma, State of California, and bounded and described as follows, to wit:-

Bounded on the West by the lands now or formerly owned by Nicholas Carriger; on the North by the Creek called "Mark West" Creek; running up said Creek, in an Easterly direction, a distance of half a mile; thence South, and parallel with Carriger's land, and along the line of land owned by Alonzo Meacham, about one mile and one half, to the Southern boundary line of the San Miguel Rancho; thence along and with the Southern boundary line of said Rancho, in a Westerly direction, to the above named N. Carriger's land, Containing about 480 acres, more or less.

To have &c, unto the said party of the second part, her heirs and assigns forever, as and for her separate property and estate,

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

the purchase money herein set forth,being the separate estate of said Martha A. Woolsey.

(Signed) Eliza Macy, (Seal)
Martha J. Macy, (Seal)
Mary F. Macy, (Seal)
John H. Macy, (Seal)

Witness:-
W. M. Boggs.

Acknowledged Aug.21, 1880.

as follows,

"State of California, SS
County of Napa.

On this Twenty-first day of August,A.D.one thousand eight hundred and eighty-before me.W.M.Boggs, a Notary Public in and for the said County of Napa,personally appeared Eliza Macy,Martha J. Macy, Mary F. Macy and John H. Macy,proven to me to be the same persons whose names are subscribed to the annexed instrument,and who acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand,and affixed my official seal, at my office, in the said County of Napa,the day and year in this certificate first above written.

(Seal) W. M. Boggs,
Notary Public."

Recorded April 9, 1881,

Liber 74 of Deeds, page 413.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Mrs. Martha A. Woolsey and
Ezra W. Woolsey, her husband.
— TO —
David R. Fraser.

MORTGAGE.

Dated April 9, 1881.

To secure payment of $12,000.00 gold coin, on or before four years after date, with interest thereon at the rate of 10% per annum, from date until paid. Interest payable semi-annually, and if not so paid, to be compounded, as per a promissory note of even date herewith.

Mortgages same premises as described in the Deed from D.R. Fraser, Administrator, to Martha A. Woolsey, Book 74 of Deeds, page 409; on page 269 of this Abstract.

(Signed) Martha A. Woolsey, (Seal)
Ezra W. Woolsey, (Seal)

Acknowledged (properly.) April 9, 1881,
Before Jno. T. Campbell, N. P.
Sonoma County.

Recorded April 9, 1881,
Book 27 of Mortgages, page 377.

ASSIGNED,
By Deed of Assignment,
David R. Fraser
— TO —
John Good.

Dated Feby.3rd, 1885.

Cons:-$11,000.00.

Properly executed and acknowledged.

Recorded Feby.3, 1885.

Book D of Assignments, page 578.

F. G. Nagle. Searcher. June 15. 1885.

CANCELLED

On the Margin of the record of the above Mortgage, on June 26, 1885.

by John Good.

Attest:-

J. F. Naughton, County Recorder.

by W. S. Davis. Deputy Recorder.

SONOMA COUNTY ABSTRACT BUREAU. SANTA ROSA, CAL. May 5, 1890 for clearing

Martha A. Woolsey,
wife of Ezra W. Woolsey.

DECLARATION OF HOMESTEAD.

Dated June 2, 1883.

Of the premises as described in the Deed from D.R.Fraser, Administrator, to Martha A. Woolsey, Book 74 of Deeds, page 409; on page 269 of this Abstract.

That I make this declaration for the joint benefit of myself and husband, and I declare that my husband has not made a declaration of homestead:

That the actual cash value of said property I estimate to be $5000.00.

(Signed) Martha A. Woolsey, (Seal)

Acknowledged (properly.) June 2, 1883.
Before James H. McGee, N. P.
Sonoma County.

Recorded (at 10 min.past 4 o'c, P.M.) June 2, 1883,
Book E of Homesteads, page 341.

Ezra W. Woolsey and
Martha A. Woolsey, his wife,
—TO—
William E. Woolsey and
Frank Woolsey,
sons of the parties of the first part.

DEED.

Dated May 31, 1883.

Cons:- $5.00.

Do grant, bargain, sell &c,unto the said parties of the second part, and to their heirs and assigns forever, an undivided half interest in and to all that certain tract of land situate,lying and being in the County of Sonoma, State of California,and bounded and particularly described as follows, to wit:-

A tract of land known as the "Drennan Ranch", and bounded on the West by lands heretofore owned by Nicholas Carriger; on the North by the Creek called Mark West; running up said Creek,in an Easterly direction, a distance of one half a mile: thence South and parallel with the said land of Carriger, and along the line of land owned by one Alonzo Meacham, about one and one half miles, to the Southern boundary line of the San Miguel Rancho; thence along and with the Southern boundary line of said San Miguel Rancho in a Westerly direction, to the above named Nicholas Carriger's land, and being a part of the said "San Miguel" Rancho, and containing about 480 acres.

And being the same land conveyed by John Cairns to Thos.J. Drennon, by Deed dated June 30th, 1868.

(Signed) Ezra W. Woolsey,(Seal)
Martha A. Woolsey, (Seal)

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Witness:-

F. O. Wegener.

Acknowledged (properly,) May 31, 1883

by Ezra W. Woolsey,

Before F. O. Wegener, N. P.

San Francisco.

Acknowledged (properly.) June 2, 1883

by Martha A Woolsey, wife of Ezra W. Woolsey.

Before James H. McGee, N. P.

Sonoma County.

Recorded (at 12 mins.past 4 o'c, P.M.) June 2, 1883.

Book 85 of Deeds, page 588.

State and County Taxes.

1880 to 1883, Paid.

1884, now due and payable.

No Judgment nor other liens,except as shown in this Abstract.

Santa Rosa,November Twenty-sixth,A.D.1884,at three o'clock,P.M.

F. G. Nagle,

Searcher of Records.

CONTINUATION

Subsequent to November 26th, 1884.

at 3 o'clk,P.M.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Thomas J. Drennan,

—TO—

Hiram Macy.

DEED.

Dated October 25, 1878.

Cons:-$18,000.00.

Does grant, bargain, sell and convey unto the said party of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land situate in the County of Sonoma, the State of California, being a part of "San Miguel" Rancho, and bounded and described as follows, to wit:-

Bounded on the West by the lands now or __ that time owned by Nicholas Carrigher; on the North by the Creek called "Mark West Creek"; running up said Creek, in an Easterly direction, a distance of half a mile: thence South, and parallel with Carrigher's land, and along the line of land owned by one Alonzo Meacham, about one and one half mils, to the Southern boundary line of the "San Miguel Rancho": thence along and with the Southern boundary line of aforesaid Rancho, in a Westerly direction, to the aforesaid Nicholas Carrigher's land, containing about 480 acres of land, more or less.

(Signed) T. J. Drennan, (Seal)

Witness:- D. D. Davisson.

Acknowledged Oct.25,1878.

Before D. D. Davisson, N. P.

Sonoma County.

Recorded Oct.31,1878.

Book 67 of Deeds, page 200.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

ALSO

Re-Recorded Feby.10, 1885.

Book 94 of Deeds, page 391.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Charles Mayne.

—TO—

Martha A. Woolsey,

(wife of Ezra W. Woolsey,)

William E. Woolsey, and

Frank Woolsey.

DEED.

Dated May 4, 1885.

Cons:-$5.00.

Does remise, release and forever quitclaim unto the said parties of the second part, and to their heirs and assigns, all that certain lot, piece or parcel of land situate, lying and being in the Township of Santa Rosa, County of Sonoma, State of California, and particularly bounded and described as follows, to wit:

Commencing on Mark West Creek, at the North East corner of the land of N. Carriger; thence running Easterly, up said Creek, one half of a mile, to the North West corner of the land of Alonzo Meacham; thence Southerly, along the Westerly line of the land of said Meacham, and parallel with the Easterly line of the lands of Nicholas Carriger, one mile and a half, to the Southern line of the Rancho San Miguel; thence Westerly, and Southerly, along the said Southern line of said Rancho, to the South East corner of the said land of Nicholas Carriger; thence Northerly, along the Easterly line of the land of said Carriger, to the place of beginning, containing 480 acres, more or less, and being a portion of the Rancho San Miguel.

Being the same premises conveyed by Charles Mayne to John Cairns, by Deed dated October 24th, 1866, and recorded in Book 19 of Deeds, page 382, of Sonoma County Records, and ~~XX~~ this Deed

is made to correct an error in the said former Deed to John Cairns,

The parties of the second part hereto being the successors in interest of said John Cairns, by Deeds duly recorded in the office of the County Recorder of Sonoma County.

(Signed) Chas. Mayne, (Seal)

Acknowledged (properly.) May 11, 1885.

Before Jno. F. Lyons, N. P.

San Francisco.

Recorded May 15, 1885,

Liber 95 of Deeds, page 498.

State and County Taxes.

Fiscal Year

1884. Paid.

1885, are now a lien.

No Judgment Liens.

Santa Rosa, June Fifteenth, A.D. 1885, at five o'clock, P. M.

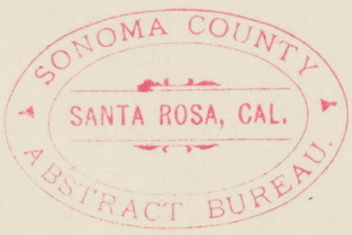
F. G. Nagle,

Searcher of Records.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Continuation
of the
Preceding Abstract of Title
subsequent to

June 15, 1885.



Ezra W. Woolsey and
Martha A. Woolsey, his wife,
William E. Woolsey, and
Frank Woolsey,
—TO—
John Good.

MORTGAGE.

Dated June 20, 1885.

To secure the payment of $11,000.00, payable February 3,1887, with interest, from February 3, 1885, at 8% per annum, interest payable semi-annually.

Mortgages all that certain tract or parcel of land situate in the Township of Santa Rosa, County of Sonoma, State of California, being a portion of the Rancho San Miguel, bounded and described as follows, to wit:-

Commencing on Mark West Creek. at the North East corner of the land of Nicholas Carriger; thence running Easterly, up said Creek, one half a mile, to the North West corner of the land of Alonzo Meacham; thence Southerly, along the Westerly line of the land of said Meacham, parallel with the Easterly line of the lands of Nicholas Carriger, one and one half miles, to the Southern line of the Rancho San Miguel; thence Westerly and Southerly, along the said Southern line of said Rancho, to the South East corner of said land of Nicholas Carriger; thence Northerly, along the Easterly line of the land of said Carriger, to the place of beginning, containing 480 acres, more or less.

Being the same premises upon which said Mortgagors now reside.

(Signed) Ezra W.Woolsey, (Seal)
Martha A. Woolsey,(Seal)
Wm. E. Woolsey, (Seal)

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Frank Woolsey, (Seal)

Acknowledged June 26, 1885.

Before F. G. Nagle, N. P.

Sonoma County

Recorded June 26, 1885.

Liber 46 of Mortgages, page 325.

Note:-

A Partial Release of above Mortgage, dated July 18, 1887, was recorded July 27, 1887, in Book L of Releases, page 448, for a consideration of $1000.00. Releases the tract of 17.07 acres as described in the following Deed.

Searcher.

CANCELLED

On the face of the record of this Mortgage, on June 11, 1890, by John Good.

Attest:

A. P. Moore, County Recorder.

SONOMA COUNTY ABSTRACT BUREAU SANTA ROSA, CAL.

Ezra W. Woolsey and
Martha A. Woolsey, his wife,
William E. Woolsey, and
Frank Woolsey,
—TO—
C. H. Dwinelle.

DEED.

Dated June 15, 1887.

Cons:- $5.00.

Do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all that certain lot, piece or parcel of land situate in the County of Sonoma, State of California, and being a portion of the San Miguel Rancho, and more particularly described as follows,

Commencing where the Easterly line of the land belonging to the Nicholas Carriger Estate crosses the center of the County road connecting the Town of Fulton with Forestville: thence along the center of said road, N.70° E 9.66 chains: thence, leaving said road, N.39 1/4° W. 14.62 chains, to the North bank of a ditch or slough; thence, following the North bank of the slough, N.89 1/4° W. 65/100 chains, N.68 1/4° W.617/100 chains: N.85 1/2° W. 2.55 chains, S.66° W.3.88 chains, to the Easterly line of the Carriger Estate aforesaid: thence, following said line, S.39 1/4° E. 19.88 chains, to the place of beginning, containing 17.07 acres of land. Courses Magnetic. Variation 17° 30' E.

(Signed) Ezra W. Woolsey, (Seal)
Martha A. Woolsey, (Seal)
Wm. E. Woolsey, (Seal)
Frank Woolsey, (Seal)

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Acknowledged July 9, 1887,

by Ezra W. Woolsey, and Martha A. Woolsey, his wife,

Before James H. McGee, N. P.

Sonoma County.

Acknowledged June 21, 1887.

by Frank Woolsey,

Before Eugene D. White. N. P.

Multnomah County,

State of Oregon.

(Here follows Certificate of R. H. Lamson, Clerk of the State of Oregon, certifying that Eugene D. White is a duly authorized and empowered Notary Public, and that said instrument was executed and acknowledged according to the laws of the said State.)

Acknowledged (by Wm. E. Woolsey,) June 15, 1887.

Before F. G. Nagle. N. P.

Sonoma County.

Recorded July 27, 1887.

Liber 107 of Deeds, page 80.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

State and County Taxes.

1885	
to	Paid.
1889,	
1890,	are now a lien.

No Judgment Liens.

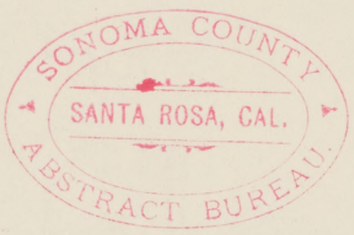
Santa Rosa, this Fifth day of May, A.D. 1890, at 5 o'clock, P. M.

The Sonoma County Abstract Bureau.

(Seal) by J. W. Ragsdale, Secretary.

Continuation
of the
Preceding Abstract of Title
subsequent to

May 5, 1890.



E. W. Woolsey, and
Martha A. Woolsey, his wife.

ABANDONMENT OF HOMESTEAD.

Dated May 15, 1890.

Know All Men by these Presents, that we, Ezra W. Woolsey, and Martha A. Woolsey, his wife, of the County of Sonoma, State of California, and each of us, do hereby abandon, release and discharge, from any and all claim by us, and each of us, as a homestead, the lot of land and premises situate, lying and being in said County of Sonoma, bounded and described as follows,

A tract of land known as the Drennan Ranch, and bounded on the West by lands heretofore owned by Nicholas Carriger: on the North by the Creek called Mark West Creek; running up said Creek, in an Easterly direction, a distance of one half mile: thence South, and parallel with the said land of Carriger, and along the line of land owned by Alonzo Meacham, about one and one half miles, to the Southern boundary line of the San Miguel Rancho: thence along and with the Southern boundary line of the said San Miguel Rancho, in a Westerly direction, to the above named Nicholas Carriger's land.

Being a part of the said San Miguel Rancho, and containing 480 acres of land, more or less.

And hereby particularly abandoning, releasing and discharging said lands and premises above described, from any and all claim, lien, and declaration of homestead, under and by virtue of that certain Declaration of Homestead, dated June 2, 1883, made by said Martha A. Woolsey, and recorded in the office of the County Recorder of said County of Sonoma, in Book E of Homesteads, at page 341, to which said Declaration of Homestead, and the record

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

thereof, special reference is hereby made.

(Signed) E. W. Woolsey, (Seal)

Martha A. Woolsey, (Seal)

Acknowledged May 15, 1890.

Before J. W. Ragsdale, N. P.

Sonoma County.

Recorded May 15, 1890.

Liber C of Promiscuous Records, page 177.

William E. Woolsey,
Frank Woolsey.
Ezra W. Woolsey, and
Martha A. Woolsey, his wife,
first parties.

— TO —

Henry C. Campbell and
Thaddeus B. Kent,
second parties,
and
The San Francisco Savings Union,
a corporation &c.

DEED OF TRUST.

Dated May 17, 1890.

Witnesseth, Whereas the said parties of the first part, jointly and severally, have borrowed and received of the said San Francisco Savings Union, in Gold Coin of the United States, of the standard of 1861, the sum of $11,000.00, and have agreed to repay the same, with interest, to the San Francisco Savings Union, or its order, at its office in San Francisco, in like gold coin, according to the terms of a certain promissory note, of even date herewith, executed and delivered therefor, by the said parties of the first part,

Now. This Indenture Witnesseth, that the said parties of the first part, in consideration of the aforesaid indebtedness to the San Francisco Savings Union, and of $1.00 to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, and for the purpose of securing the payment of said promissory note, and of any sum or sums of money,

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

with the interest thereon, that may be paid or advanced by, or may otherwise be due to the parties of the second part, or party of the third part, under the provisions of this instrument, and also such additional sums as may be hereafter borrowed and received by the said parties of the first part, from the party of the third part, and evidenced by another promissory note of the said parties of the first part, have granted, bargained, sold, conveyed and confirmed, and do hereby grant, bargain and sell, convey and confirm unto the said parties of the second part, in joint tenancy, and to the survivor of them, their successors or assigns, the piece or parcel of land situate in the County of Sonoma, State of California, described as follows:-

A tract of land known as the "Drennan Ranch", and bounded on the West by land heretofore owned by Nicholas Carriger: on the North by the Creek called Mark West Creek: running up said Creek, in an Easterly direction, a distance of one half a mile: thence South, and parallel with the said land of Carriger, and along the line of land now or formerly owned by Alonzo Meacham, about one and one half miles, to the Southern boundary line of the San Miguel Rancho: thence along, and with the Southern boundary line of the said San Miguel Rancho, in a Westerly direction, to the above named Nicholas Carriger's land, Being a part of the said San Miguel Rancho, and containing 480 acres of land, more or less.

Excepting and reserving, however, from the operation and effect of this conveyance, that certain piece or parcel of the said premises bounded and described as follows, to wit:-

Commencing where the Easterly line of the land belong__ to the Nicholas Carriger Estate, crosses the center of the County road connecting the Town of Fulton with Forestville: running thence along the center of said road, North 70° East 9.66 chains;

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

thence, leaving said road, North 39° 15' West 14.62 chains, to the North bank of a ditch or slough; thence following the North bank of the slough, North 89° 15' West 65 links; thence North 68° 15' West 6.17 chains; thence North 85° 30' West 2.55 chains; thence South 66° West 3.88 chains, to the Easterly line of the Carriger Estate aforesaid: thence, following said line, South 39° 15' East 19.88 chains, to the place of beginning, containing 17.07 acres of land. Courses magnetic. Variation 17° 30' East.

To have and to hold the same, to the parties of the second part, as joint tenants, (and not as tenants in common,) with right of survivorship as such, and to their successors and assigns, upon the trusts and confidences hereinafter expressed, to wit:-

(Here follow certain trusts and conditions.)

(Signed) William E. Woolsey, (Seal)
Frank Woolsey, (Seal)
Ezra W. Woolsey, (Seal)
Martha A. Woolsey, (Seal)

Witnesses:-
Lizzie Grounds.
S.R. Strong.

Acknowledged May 19, 1890.
by Wm. E. Woolsey, and Ezra W. Woolsey.
Before J. W. Ragsdale, N. P.
Sonoma County.

Acknowledged May 20, 1890.
by Martha A. Woolsey, wife of Ezra W. Woolsey.
Before Arthur L. Harris, N. P.
Sonoma County.

SONOMA COUNTY ABSTRACT BUREAU, SANTA ROSA, CAL.

Acknowledged (by Frank Woolsey,) June 3, 1890.

Before F. R. Strong, N. P.

Oregon.

Recorded June 9, 1890.

Liber 127 of Deeds, page 176.

State and County Taxes.

1890 to 1894.	Paid.
1895,	are now a lien.

Nothing further.

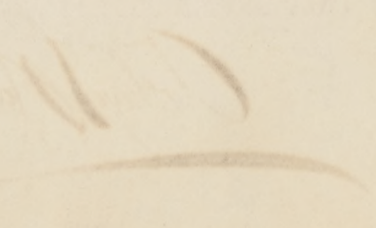
Santa Rosa, this Twenty-fourth day of June, A.D. 1895, at five o'clock, P. M.

(Seal)

The Sonoma County Abstract Bureau,
by J. W. Ragsdale,
Secretary.
per Arthur L. Harris,
Searcher.

This is to certify that the foregoing (pages from 1 to 335 inclusive,) is a full, true and correct copy of an Abstract made by F. G. Nagle, and continued by the Sonoma County Abstract Bureau up to June 24, 1895, at 5 o'clock P.M.

Santa Rosa, December 26th, 1899.

THE SONOMA COUNTY ABSTRACT BUREAU.

by Arthur L. Harris Manager.